

CHAPTER 20

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ARTICLE I. WATER BOARD

SECTION 20.101. APPOINTMENT AND TERM OF BOARD MEMBERS; WATER WORKS DEPARTMENT. (a) The Water Works Department shall be under the charge of the Water Board, which shall consist of five persons, to be appointed by the City Manager.

(b) The City Manager shall annually, in the month of June, adopt one member of the Water Board, who shall hold office for the term of five years from June 30, in the year of his appointment and until his successor is appointed and qualified. A vacancy shall be filled in the same manner, and the person appointed to fill a vacancy shall hold office for the remainder of the term for which his predecessor was appointed. No member of the City Council shall be appointed a member of this Board. (G.O. 1943, c. 36, sec. 1)

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SECTION 20.102. PRESIDENT AND CLERK OF BOARD. The Water Board shall elect one of its members as President. The Board may choose a Clerk, and make such rules and regulations for its own government and in relation to all its officers as may be deemed expedient. (G.O. 1948, c. 36, sec. 2)

SECTION 20.103. DUTIES OF PRESIDENT. The President of the Board shall exercise a general supervision over all the water works, and the materials and property connected therewith, and over all subordinate officers and agents. In case of his absence or inability, his duties may be performed by a president pro tempore, to be chosen by the Board. (G.O. 1943, c. 36, sec. 5)

SECTION 20.104. POWERS OF BOARD. The Board, so constituted and organized, shall have and exercise all the powers vested in the City Council by any Acts of the Legislature now or hereafter in force so far as the same can be legally delegated. When Police services are required, the Water Board shall apply to the Chief of Police for a detail of as many officers as it requires for patrol service and while in the employ of said Board the officers shall be under the control of the Water Board, and shall be paid by the Board. (G.O. 1943, c. 36, sec. 3)

SECTION 20.105. REPAIRS OF PIPES, ETC. The Board shall have the power to authorize all necessary repairs, extensions or improvements on said works, and to provide new supply-pipes. The Board shall have no power to expend any money, or to incur any debt, beyond the amount of appropriations made by the City Council. (G.O. 1943, c. 36, sec. 6 as amended)

SECTION 20.106. RATE ASSESSMENT; REGULATIONS. The Board shall determine and assess the water rates according to the tariff of rates adopted by the City Council, and shall have power to establish such regulations as it may deem expedient for the introduction and use of water; and the water shall not be supplied to any building unless the pipes and fixtures are made comfortable to such regulations. (G.O. 1943, c. 36, sec. 8)

SECTION 20.107. REPORT OF BOARD. The Board, in January of each year, shall present to the City Manager a report containing a statement of the condition of all the water works and of the lands and other property connected therewith with an account of all receipts and expenditures and a schedule of property on hand, together with any information or suggestion which it may deem important; and shall at the same time transmit to the City Manager the reports of the Chief Superintendent. (G.O. 1943, c. 37, sec. 4)

SECTION 20.108. CHIEF SUPERINTENDENT. The City Manager shall appoint a Chief Superintendent, who shall perform his duties under the direction

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of the City Manager, or his designee. He shall have general control of all persons employed in the department, and shall have full charge of the aqueducts, lands, reservoirs, storage basins and other works and property connected with the water works which may be required in conveying and distributing water to the City and its inhabitants. He shall annually in the first week in January present to the Board a report of the general condition of the works, he shall cause to be visited, once in each year, all premises where the water is taken, and shall exercise a constant supervision over the use of the water. He shall perform such further services in relation thereto as may be required of him by the Board. (G.O. 1943, c. 36, secs. 9, 10)

ARTICLE II. RATES AND PAYMENTS

SECTION 20.201. RECEIPTS; INTEREST PAYMENTS. All money paid into the Treasury on account of the water works shall be placed to the credit of the water works, and shall not be paid out except under the authority of the Treasurer, upon forms approved by the Auditor. The City Manager may draw his draft for all sums of money becoming due for interest on a Cambridge water loan, and the amounts so paid shall be charged to the water works. (G.O. 1943, c. 36, sec. 11 as amended)

SECTION 20.202. WATER RENTS PAYABLE IN ADVANCE. Annual water rents shall be payable in advance on May 1 of each year. All charges for specific supplies or for fractional parts of the year to May 1 shall be payable in advance and before the water is let on. (G.O. 1943, c. 36, sec. 12)

SECTION 20.203. RATES. (a) The rate for metered water shall be Thirty-six (\$.36) Cents per hundred cubic feet. In no case, however, shall the minimum charge for metered water be less than Ten (\$10.00) Dollars, payable semi-annually (at six month intervals). All water passing through a meter, whether used or wasted, will be subject to charge.

(b) If a meter malfunctions and fails to register, the consumer shall be charged at the average daily consumption as shown by the meter when in order.

(c) All charges for metered water shall be made to the owner on record of property. All bills for water furnished by meters shall be payable semi-annually at the office of the City Treasurer; and if the same be not paid within thirty days after billing, the Chief Superintendent may shut off the supply, after sending a special notice that the water will be shut off for non-payment, and shall not again be let on for the same occupant or owner, except upon the payment of the whole amount due, together with costs as determined by the Board.

(d) A monthly interest charge of one and one half (1.5 percent) Percent shall be assessed on the balance of any water bill remaining unpaid after thirty days from the date of billing.

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(e) When water is required for purposes which are not specified in the foregoing tariff, the rates shall be fixed by the Board.

(f) The Board shall have the power to prevent the erection of yard hydrants, and water shall not be supplied to any water closets unless such water closets are constructed to conform to the plumbing ordinance. (Secs. a-f: Ord. No. 861, April 15, 1976)

(g) All water required by the City in its various departments shall be furnished free of charge. (G.O. 1943, c. 36, sec. 23)

SECTION 20.204. ABATEMENT OF RATES. The Chief Superintendent, under the direction of the Board, may make abatements in the water rates in all proper cases. (G.O. 1943, c. 36, sec. 14)

SECTION 20.205. PENALTY FOR NONPAYMENT OF WATER RENTS. In those situations where specific supplies or supplies for fractional parts of the year are allocated, the water may be shut off immediately after a notice is given at the place that the rent is not paid, and shall not be let on again for the same occupant or owner, except upon the payment of the whole amount due, together with costs, as determined by the Board. This Section shall also apply where two or more parties take the water through the same service pipes, although one or more may have paid the proportion due from him or them. (G.O. 1943, c. 37, sec. 13 as amended)

SECTION 20.206. RECORDATION. (a) The Chief Superintendent shall cause to be kept suitable books in which shall be entered the names of all persons who take the water, the kind of building, the name and number of the street, the nature of the use, the number of takers and the amount charged, and amounts of abatement, which shall always be kept open to the inspection of the Board, and any committee of the City Council.

(b) The Chief Superintendent shall, at the end of each year, report to the Board: (1) The amount of the bills sent to the Treasurer; (2) The amount of the abatements; and (3) The amount of uncollected bills. (G.O. 1943, c. 36, sec. 15)

SECTION 20.207. CHIEF SUPERINTENDENT TO MAKE OUT BILLS; FORM, ETC. (a) Chief Superintendent shall, under the direction of the Board, cause the annual bills for water rates to be issued and delivered on or before April 10 of each year, and shall make out bills for all other amounts payable to the City on account of the water works, and deliver the same to the Treasurer, from time to time, as they may become due. All the bills so delivered by the Chief Superintendent shall be numbered to correspond with the number of the charge on his books.

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(b) A certificate of each abatement and refund shall be furnished by the Chief Superintendent, which certificate shall be addressed to the Treasurer, and shall state the account on which it is allowed, and the number of the bill. The Chief Superintendent shall, on the first day of every month, report in writing to the auditor the amount of the bills of each class placed in the hands of the Treasurer for collection, and also the amount abated or ordered to be refunded, during the preceding month. Whenever it shall appear to the Chief Superintendent that an error has been made in the rates charged for any house or tenement whereby a larger amount has been charged than is required he shall cause an abatement certificate to be made for the amount of the excess charged, and forthwith transmit the same to the City Treasurer, who shall send a corrected notice to the owner or the person to whom the rates are charged. (G.O. 1943, c. 36, sec. 21)

ARTICLE III. REGULATIONS AS TO USE

SECTION 20.301. BOARD TO DECIDE WHAT IS WASTE OR IMPROPER USE. The Board shall have the power to decide what shall be considered waste or improper use of water, and to restrict the use thereof when it may deem necessary; and if the water-taker refuses or neglects to comply with any order of the Board, after notice given to him, the water may be shut off, and shall not again be let on, except by a vote of the Board, and the payment of such fine, not exceeding Fifty (\$50.00) Dollars, as the Board may impose. (G.O. 1943, c. 36, sec. 19)

SECTION 20.302. INJURIES TO PIPES, RESERVOIR AND HYDRANTS. No person shall injure any public pipe, reservoir or fire hydrant connected with the water works, or shall break and enter the same, or draw off or cause to be removed, any of the water therefrom; or shall turn on or off the water in any such water pipe, reservoir or fire hydrant, or shall make any opening or connection with such pipe, reservoir or fire hydrant or remove the cover of any hydrant except in case of fire, without the license or permit of the Water Board, or by authority of the City Manager, and then only under the direction of the Superintendent of the Water Works, who shall provide competent men to perform the same; and the expense thereof shall be charged to the person or department applying for such license or permit. (G.O. 1943, c. 36, sec. 16)

SECTION 20.303. REGULATIONS. The following regulations shall be considered a part of the contract with every person who takes the water and every such person, by taking the water, shall be considered to express his consent to be bound thereby. The regulations shall be printed upon every bill for water, and whenever any one of them is violated (notwithstanding two or more parties may receive the water through the same pipe), the Chief Superintendent, under the direction of the Board, shall cause the water to be cut off, and it shall not be let on again except upon payment of Two (\$2.00) Dollars and all chargeable rates; and further, in case of any such violation, the Board may declare forfeited any payment made for the water, by the person committing

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such violation, and the same shall thereupon be forfeited. The regulations are as follows: (a) All persons taking the water shall, at their own expense, keep the service-pipes in good repair and protected from frost, and they will be held liable for all damage which may result from their failure to do so.

(b) They shall prevent all unnecessary waste of water, and there shall be no concealment of the purposes for which it is used.

(c) An owner or occupant of premises in which water furnished by the City is used, who fails to keep his service-pipes and fixtures in good order, and neglects to repair the same within three days after they have, from any cause, become defective, or who neglects to shut off the water after using it, so that it runs to waste, shall be liable to a fine not exceeding Fifty (\$50.00) Dollars; and if such fine is not paid within two days from the time when the person incurring it receives notice that he is liable thereto, the water shall be cut off from his premises, and shall not be let on again until the waste is stopped and the fine paid, together with an additional sum of Two (\$2.00) Dollars for cutting off and letting on the water; and in case of a second offense during the same year, the same penalty shall apply, and in case of a third offense, the water shall be cut off, and shall not be let on again except by a vote of the Board and the payment of such fine, not exceeding Fifty (\$50.00) Dollars, as the Board may impose. (G.O. 1943, c. 36, sec. 18)

(d) No alteration shall be made in any pipes or fixtures installed by the City, except by its agents, who shall be allowed to enter the premises supplied, to examine the apparatus, and to ascertain if there is any unnecessary waste; and no plumber or other person shall make any alteration or extension of the pipes in any house or on any premises without first giving notice to the Chief Superintendent and procuring a written permit from him which shall be returned to the Chief Superintendent within ten days after the completion of the work, endorsed with a statement of all fixtures added or removed. Any person violating this regulation shall be fined not more than Fifty (\$50.00) Dollars.

(e) No water shall be supplied to parties not entitled to the use of it under the City Ordinances, unless by special permission.

(f) Except as hereinafter provided, no connection of a fountain shall be made, directly or indirectly, with the water pipes of the City. Persons desiring water for fountain purposes shall make application in writing to the Board, stating the number and size of the jets to be used, and the hours of the day and the months during which it is proposed to use the same. Upon such application the Board shall fix the rate to be charged to the applicant, and the connection with the water pipes shall be made under the direction of the Superintendent; it being understood and agreed that the water shall be used exclusively for fountain purposes, unless supplied through a meter.

(g) Whenever on account of non-occupancy of premises or non-use of water an abatement is desired, and notice thereof is given at the office of the Chief Superintendent, while the person liable for the water rates is in possession of the

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premises, the water shall be cut off by an employee of the Board and an abatement made, less the charge of One (\$1.00) Dollar for cutting off; provided, that such seal-locks as may be adopted by the Board may be placed upon Faucets in tenements so connected with other tenements that they cannot be separately shut off in the street; but they shall not be put in any house that can be shut off from the street, except for particular fixtures. The charge of putting on such seal-locks shall be established by the Board. Such seal-locks shall not be taken off by any one except an employee of the Board, on penalty of forfeiting all claims for allowance, and having the water shut off from the premises.

(h) The Chief Superintendent, with the necessary agents and assistants, may enter the premises of any water-taker to examine the quantity used, and the manner of use, and to cut off the water for non-payment of rents and fines, or for any violation of these regulations.

(i) The owner of the property shall be liable for the water rates, except where the ownership is changed after water is shut off for non-payment, in which case the new owner shall be liable for the water rates from the time when the water is again let on. (G.O. 1943, c. 36, sec. 17)

ARTICLE IV. RESERVOIRS

SECTION 20.401. FISHING, SWIMMING PROHIBITED. Fresh Pond, Stony Brook, Payson Park and Hobbs Brook are hereby constituted reservoirs, storage basins and water supplies for the use of the City. No person shall fish, swim, or bathe, or permit any animal under his control to swim or bathe in said areas, or other reservoirs of the water works, or enter into the waters thereof, or place or use a boat in the same, or throw dirt, rubbish, filth, offensive or other foreign matter, or commit a nuisance therein or on the land and driveways of the City connected therewith and appurtenant thereto; provided, however, that the Water Board may permit fishing in Fresh Pond Reservoir between the hours of 4:00 and 8:00 A.M., under such rules and restriction as it may establish from time to time, to control the same. (G.O. 1943, c. 36, sec. 25)

SECTION 20.402. SKATING PROHIBITED. No person shall go upon the ice of the above mentioned areas, or any other reservoir of the water works for the purposes of skating or place or use a sled, ice-boat, sleigh or vehicle thereon. (G.O. 1943, c. 36, sec. 26)

SECTION 20.403. RESTRICTING USE OF VEHICLES. The Board may regulate the use of any vehicles within the enclosures of Fresh Pond, Stony Brook, Payson Park, Hobbs Brook or any other reservoir and may prohibit or prevent entrance of any vehicles within said enclosure. (G.O. 1943, c. 36, sec. 34)

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ARTICLE V. PENALTY PROVISION

SECTION 20.501. PENALTY. Any person who violates any provision of this chapter shall be liable to a penalty not exceeding Fifty (\$50.00) Dollars for each offense. (G.O. 1943, c. 36, sec. 33)

