



Town of Medfield

Department of Public Works Water Rules and Regulations

Medfield Board of Water and Sewerage

January 8, 2019

By the virtue of Massachusetts General Law Chapter 41, and Medfield Town Bylaw Article II Chapter 270 Water, and other authority and powers, the Board of Water and Sewerage of the Town of Medfield, Massachusetts establishes the following Rules and Regulations relating to the provision of water by the Medfield Water and Sewer Department. All consumers on the Medfield Water System are bound by these Rules and Regulations and future amendments thereto and are further bound to take water only for purposes stated in application made by the consumer for water service.

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Section 1: Definitions

Unless the context indicates otherwise, the meaning of terms used in these Rules and Regulations shall be as follows:

1. Customer – shall mean the individual, firm, or corporation listed as the property owner as per Medfield Assessor’s database.
2. Contractor/Developer – shall mean any person, firm, or corporation who installs water mains or water service lines and their appurtenances whether employed by customer or the Town.
3. Department – shall mean the Medfield Water and Sewer Department
4. Main – shall mean the supply pipe in the street to which the house service connects at the curb stop.
5. Water Service Line – shall mean the pipe running from the curb stop at the property line to the shut off valve inside the house before the water meter.
6. Curb Stop – shall mean the water service valve located at or near the property line.
7. Director – shall mean the Director of Public Works.
8. The Board – shall mean the Medfield Board of Water and Sewerage.
9. The Town – shall mean the Town of Medfield.
10. Water System – shall mean all Town owned water main, water service, and related appurtenances.

Section 2: General Provisions

1. Application for Water Service; Fee.

All applicants for any new installations, alterations, replacements or changes to water service shall submit a Water Connection Permit at the Water and Sewer office to the Department for approval by the Director or delegate. The fee for connection charges must be paid with the application.

In addition to the specified Water Connection Permit contained herein, excavation work in the Town of Medfield public right-of-way requires a Street Opening permit from the Department of Public Works. Applicants must also obtain a Trench Permit prior to the creation of a trench on public and/or private property in accordance with Chapter 82A of the Massachusetts General Laws, as codified in Section 14.00 of Title 520 of the Code of Massachusetts Regulations.

2. Responsibility for Payment

Customers shall be charged with and held responsible for all water passing through their service pipes as per the water meter until such time as the Department is notified by filing a Termination Application at the Water and Sewer office that they no longer desire the use of water and service is disconnected by the Department. In case of the sale of the property, the Termination Application shall provide the name of the new owner.

In addition to the service fee, the Customer shall be responsible for all fees and penalties by the Department.

3. Ownership Responsibilities & Liability

For a new service, it is the responsibility of the Customer to connect to the town main at the Customer's expense. After connection has been established and for all existing Customers, all pipes, valves, taps and other appurtenances between the municipal water main and the curb stop are the property and responsibility of the Department. All piping, valves, equipment and any other appurtenances from the house side or downstream of the curb stop are the property and responsibility of the Customer although such items are required to meet the standards and specifications of the Department. An exception to the above is the water meter and street-side valve before the water meter which is the property of the Department.

4. Service Tap Renewals or Replacements

In the event a new service tap is required or requested it shall be considered a service renewal. The Customer will be required to pay an application fee for each service tap updated in accordance with the schedule of fees attached hereto.

5. Private Wells

A property with town water and a private well for irrigation may not have the two sources joined by any type of piping, valve, or equipment.

Private well signage is governed by Medfield Code § 270-12.

6. Availability of Municipal Water

Water Permit Applications will be accepted for review subject to there being an existing municipal water main in the street or right-of-way abutting the premises to be served and adequate pressure and supply available.

Installation of services beyond the end of an existing water main shall not be allowed. The main must be extended (including necessary hydrants and appurtenances) to the furthest limit of the Customer's property at the Customer's expense. Water mains shall be looped when applicable and required by the Director.

7. Location, Plans and Specifications

The Department has the exclusive right to determine the location of any and all water services, fire service lines and water meters connected to the Water System. Plans for said construction and/or replacement shall be submitted with the application showing the curb stop connection, the service line to the structure and the meter location.

8. Construction

Owner of property desiring construction, alterations, or attachments connected to the Water System shall submit plans and specifications for the proposed work to the Director for approval. The Director shall determine the terms, charges and conditions under which the proposed use shall be permitted, if at all.

9. Alteration in Pipes

No Customer shall install any addition to or make any alterations to the service pipe or “upstream” of the water meter for any purpose without submitting an application for the change with plans and specifications to the Department and obtaining approval.

10. Irrigation Systems

All irrigation systems must have a testable backflow device. Each non-residential backflow device will be tested one or two times per year depending on the device type (twice a year for a RPZ and once a year for all others). All tests must be completed by a State Certified Licensed Backflow tester. Cost of testing is the owner’s responsibility. Testing results are to be submitted to the Department.

11. Right of Entry

Medfield Code § 270-15 governs the Department’s right to entry.

12. Fires

Whenever a fire occurs in the Town, it is the duty of Customers to discontinue, as far as practicable, the use of water.

13. Conditions of Service

The Town does not guarantee constant pressure or uninterrupted service, nor does it assure the Customer either a full volume of water or the required pressure necessary to effectively operate sprinklers or other systems, equipment, or appliances, the same being subject to all the variable conditions that occur in the Water System.

14. Interruption of Service

No Customer shall be entitled to damages or to have payment refunded for any interruption of supply occasioned by accident to any portion of the water system, by shutting off for the purpose of additions or repairs to the water system or by the stoppage or shortage of supply due to causes beyond the control of the Department, such as excessive drought, excessive use and waste of water by other Customers or by leaks or defects in the pipes or appliances owned by any Customer.

15. Consumer’s Pipes

The Town assumes no liability for damages or expenses resulting from preexisting defects which become manifest during the repairs of any main, service pipe, meter or other appliances belonging to the Department.

16. No Liability for Collapsed Boilers, etc.

The Department reserves the right at any time and without notice to shut off the water in mains for the purposes of making repairs, extensions or for other necessary purposes. Customers having boilers or other appliances on their premises depending on the pressure in pipes to keep them supplied with water are hereby cautioned against danger from these sources and are required to provide, at their own expense, suitable safety appliances to protect themselves against such danger as per Massachusetts Drinking Water Regulations 310CMR 22.22. In any event, it is expressly stipulated that the Department will not be liable for any damage resulting from water having been shut off either through accident or necessity.

17. Shutting Off Water without Notice

When it becomes necessary to shut off the water from any section of the Town in a non-emergency for the purpose of making changes or repairs, the Department shall endeavor to give timely notice to as many of the Customers affected as to the time and the character of the repairs or the accident will permit, and shall, so far as practical, use its best efforts to prevent inconvenience and damage arising from any such cause. However, failure to give such notice shall not render the Department responsible or liable for any damages that may result from the shutting off of the water or any coincident condition.

18. Leaks

The Department shall have the right to shut off water supplied to any property where a leak exists or is believed to exist. Any such leaks must be repaired and must pass inspection by the Department before the water will be restored. In addition, the Customer shall be responsible for the cost of any repairs to any private portions of the water system as well as the cost of water.

19. Restriction of Water Use

Medfield Code § 270-5 through § 270-8 govern water conservation.

Nonessential outdoor water uses that are subject to mandatory restrictions include:

Irrigation of lawns via sprinklers or automatic irrigation systems;

Washing of vehicles, except in a commercial car wash or as necessary for operator safety; and

Washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply surface treatments such as paint, preservatives, stucco, pavement or cement.

The following uses may be allowed when mandatory restrictions are in place:

Irrigation to establish a new lawn and new plantings during the months of May and September;

Irrigation of public parks and recreational fields by means of automatic sprinklers outside the hours of 9am to 5pm; and

Irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose.

Water uses not subject to mandatory restrictions are those required:

For health or safety reasons;

By regulation;

For the production of food and fiber;

For the maintenance of livestock; or

To meet the core functions of a business (for example, irrigation by plant nurseries as necessary to maintain stock).

Tier 1

Nonessential water use allowed every day.

Lawn watering allowed outside the hours of 9am to 5pm.

Tier 2

Streamflow Triggered Restrictions based on Water Management Act Permit

Nonessential water use allowed every other day. Even numbered addresses will be allowed to lawn water on even numbered calendar days. Odd numbered addresses will be allowed to lawn water on odd numbered calendar days.

Lawn watering allowed outside the hours of 9am to 5pm on designated day.

Tier 3

Drought Triggered Restrictions based on Water Management Act Permit

Nonessential water use allowed once per week. Even numbered addresses will be allowed to lawn water only on Monday. Odd numbered addresses will be allowed to lawn water only on Thursday.

Nonessential water use allowed between 5pm on the designated day to 9am the next morning.

Tier 4

Drought Triggered Restrictions based on Water Management Act Permit

All nonessential outdoor water use is prohibited.

Tier 5

Drought Triggered Restrictions based on Water Management Act Permit

All outdoor water use is prohibited.

20. Easements

In any case where an existing municipal water main or appurtenances are located on private property and a recorded easement does not exist, an implied or prescriptive easement is deemed to exist with the same force and effect as a recorded one.

21. Liability for Freeze Ups

It is the responsibility of Customers to ensure that all plumbing, fixtures, meters and appliances are protected from freezing. The Customer shall make any repairs as a result of freezing. Neither the Town nor the Department shall be held responsible for loss or damage to any plumbing, fixtures, meters or appliances due to freezing and any repairs to same made by the Department shall be paid for by the Customer.

22. Supplying Water to Other Premises Prohibited

A Customer shall not be permitted to supply the premises of another person with water, except in special emergencies, and then only with the approval of the Director.

Section 3 Charges**1. Establishment of Rates**

Rates chargeable for water and payable by the Customer shall be determined by the Medfield Board of Water and Sewerage as provided under Massachusetts General Laws Chapter 41 Section 69B.

2. Bill Payable

Bills for water service are due and payable upon issuance of the bill. The failure of the Customer or agent to receive notice of their water bill or other related charges does not relieve them from the obligation for payment or from the consequences of nonpayment. All charges are due and payable upon issuance of billing and are past due SIXTY (60) DAYS after the date of the billing. The records of water supplied in the Water and Sewer Office shall be sufficient basis for billing and to commence action for nonpayment against present and/or subsequent owners of record.

3. Overdue Charges

Any overdue charge including interest charges may be collected by any legal means, including a lien on the property and/or shutting off the water service or commencement of a civil action as provided under the provisions of Massachusetts General Law Chapter 40 Section 42A-42F.

4. Meter Required; All Water to be Paid for

All water must be metered and paid for whether used or wasted. A minimum charge shall be assessed for water service from the date the water is turned on.

5. Minimum/Base Charge

A minimum charge or base charge shall be assessed for water service from the date the water is turned on, whether the water is used or not.

6. Collection of Additional Charges

All bills for labor or material on Customer's property and charges for shutting off or turning on water shall be subject to the same terms and conditions as bills for water.

7. Requests for Turning on or Shutting Off Water

Requests for turning on or shutting off a water service shall be made 24 hours in advance except in case of an emergency. Customers shall be charged for each such service. Only Department personnel shall open or close curb stops. Requests for turning on or shutting off water, other than normal working hours, shall be billed at the overtime rate.

8. Broken Meters

If a meter fails to register, the Customer shall be charged at the average daily consumption as shown by the meter when in order.

9. Claims for Adjustment of Bills

All claims for adjustment of water bills shall be made within 60 days. Customers requesting adjustment must contact the Water and Sewer Office. Customers requesting adjustment shall have all amounts due on that account, including interest and penalties, for all billing periods prior to the contested period paid in full.

In recorded differences of water meter readings, the inside meter shall take precedence.

Grounds for an Adjustment include (but are not limited to):

- 1) Billing errors;
- 2) Incorrect meter readings;
- 3) Recording differences on the inside and outside meters are different. The inside meter shall take precedence.
- 4) Estimated bill is higher than bill based on actual meter reading.
- 5) Consumer's premises were not connected to the system during the billing period (connected to a water main).
- 6) An error or miscalculation in a bill for miscellaneous services.

Decisions regarding claims for adjustment shall be made by the Director.

The decision made can be appealed by written letter to the Board of Water and Sewerage within THIRTY (30) days.

Section 4 Meters

1. Meter Installation

A shutoff valve at the meter inlet shall be the first fitting inside a serviced building and shall be installed by the Department. An additional shutoff valve or backflow device shall be installed at the outlet of the meter and shall be installed by the Department. The meter shall be located in a clean, dry, warm and accessible location. A remote reader shall be installed before the service is activated. A certified plumber must complete any connection past the backflow device or outlet shutoff valve.

All meters up to and including one inch in size shall be set by the Department and shall not be moved or disturbed except by the same. Larger meters shall be installed and maintained by the Customer under the Department's supervision.

2. Customers to Pay for Repairs

All repairs or injuries to meters from freezing, hot water or external causes shall be charged to the Customer. No sale or transfer to title of property in the Town shall operate to bar the Department in the collection of any balance due to meter repairs.

3. Size, Type, and Kind of Meter

The proper size, type and kind of meter required for any given service shall be approved by the Director.

4. Meter Not to Be Removed

Customers shall not remove the water meter from the Water System without 3 days written notice, except in case of emergency and then by authorized personnel. Once the meter has been removed it is the responsibility of the Customer to maintain custody of the water meter.

5. Meter Pits

Installation of meter pits shall be at the Customer's expense.

6. Meter Tampering/Unlawful Diversion

Water meter tampering and unlawful water diversion are strictly prohibited and expose the perpetrator to liability under Massachusetts General Law, Medfield Code 270, and/or these rules and regulations.

7. Right to Change Meters

If, in the opinion of the Director, a meter does not operate properly, the Department has the right to change such meter. Such change shall be made in accordance with current regulations and paid for by the Customer.

8. Repairing Meters

The Department shall have the right to remove, repair or replace any meter at any time it so determines. All meter installations on services, which cannot be shut off for meter repairs, shall be equipped with meter bypass at the expense of the Customer.

9. Access to the Meter

Massachusetts General Law Chapter 165 Section 11D and Medfield Code § 270-5 govern the Department's right to access the water meter.

Section 5: Services, Pipes, and Fixtures

1. Inspections

All new service pipes must be inspected by the Department before covering the trench. All pipes and trenches shall meet the approval of the Department.

2. Service Pipes

All service pipes between the street line and the cellar wall may be repaired or re-laid by the Department when it deems it necessary for the protection of the supply or the giving of satisfactory water service. The cost shall be charged to the Customer. The Department also reserves the right to assess the condition of "owner responsibility" service piping, valves, etc. on a periodic basis in order to determine the functional and physical adequacy of the stated appurtenance and, if such is determined to be inadequate, the Director may order the Customer to replace such at the Customer's expense. Failure to take corrective actions prescribed by the Director will be cause for termination of water service to those premises. In addition, each Customer shall be responsible in case of break or leak in the service pipe for both water loss and cost of repairs. Costs will be as determined by the Department.

3. Existing Service Pipes

When connection is made to an existing service pipe from the street to the property line, whether the Customer is relaying a new service or renewing a service to remodeled or renovate the property, the existing curb stop and pipe must be inspected by the Department. If the Department determines that the existing pipe from the main to the property line is not in a suitable condition, it is the responsibility of the Customer to replace the service from the main to the property line.

4. Temporary Service from Adjacent Premises

When permission to open a permanently paved street is refused by the Board of Selectmen or when, for any physical reason, it is impossible to open a street and the applicant requests that water be furnished temporarily from an adjacent service, the same may be done at the expense of the Customer if approved by the Director, in his discretion.

5. Charges for Repairs

The pipe beyond the curb stop including meter pits and curb boxes is the property of the Customer and all the repairs to the same shall be made at their expense.

6. Pipe & Fittings

All pipe and fittings supplied by the Department to the Customer or Contractor shall be billed to the Customer or Contractor as appropriate.

7. Temporary Service

Services that are not used for permanent and/or habitable structures or standby fire protection must be approved by the Department before any use is allowed.

8. One Service to Each Unit

The Department will only allow one (1) service connection per Customer. This includes all commercial or industrial buildings, and new Condominiums. In the event that more than one meter is serviced by one service line, there will be a manifold used to provide a separate meter hookup for each designation. This must be provided on each preliminary plan before final approval is given.

9. Installation During the Winter Months

No new services shall be installed between November 15 and April 1 except in such cases deemed emergencies. Applications must be received by November 1.

10. Proximity to Other Utilities

Service pipes shall not be placed within 10 feet of any other utilities except under special conditions and with the approval of the Director. The Department shall not be responsible for damage to other utilities laid within 10 feet of a water service or water main.

11. Water Supply Availability

The Department shall not bear responsibility to extend existing water mains in order to provide adequate water supply for fire protection systems. No fire service connection shall be less than four (4) inch diameter connection and shall not be used for anything other than fire protection.

12. Private Fire Hydrants

Any repairs necessary for the proper operation of fire hydrants shall be the responsibility of the property owner for fire hydrants installed on private property.

13. Use of Fire Hydrants

The use of fire hydrants, town and private, is restricted to members of the Fire Department and to the Department. Other persons may use the fire hydrants only with the specific written permission of the Director.

14. Cross Connection Control

If, in the opinion of the Director, the installation of an approved backflow preventer(s) on the property side of a meter is considered necessary for the safety of the water system, such approved device(s) shall be immediately installed at the expense of the Customer after due notice in writing has been given to the Customer by the Director. Said device(s) shall be installed and tested in accordance with the drinking water regulations of Massachusetts, 310 CMR 22.22. All tests performed by the Department shall be charged as set forth in Section 8.

Section 6: Requirements and Specifications for Water Mains

1. Need for Water Mains

The developer or owner of a division of land where water is available within 500 feet will be required to serve and supply their development with water in accordance with these regulations. For any property that has existing public water service and is a division of land, the developer or owner will be required to upgrade the water mains and services to comply with these rules and regulations before the transfer of any parcel. Industrial, commercial, condominiums or multi-family residential, and like buildings that are not a division of land shall be reviewed by the Director, Water Foreman, and the Fire Chief on an individual basis. They shall still be governed by these Rules and Regulations and be required to install and maintain water mains and fire hydrants.

2. Application for Water Main Installations

An application for water main installation shall be completed by the developer or owner and submitted to the Department for review and approval before any work can proceed. All applications must contain the complete information requested and an engineer construction plan prepared by Massachusetts Registered Professional Engineer with a scale of 1 inch equals 40 feet (1" = 40').

Payment of all required application fees, and installations fees including the service availability charge and any other fees established by the Board of Water and Sewerage shall be made at the time of application.

3. Materials and Installations

All materials to be used in conjunction with any and all water mains and installations of the same shall be in strict accordance with Medfield Water Specifications. All water mains and appurtenances shall be installed by the Department or a Contractor who has been approved by the Department.

4. Pipe Size

All water mains shall be sized by the Department in conjunction with the distribution system, or as calculated by the Department or its consulting engineers. All new water mains shall have the minimum diameter of eight (8) inches. Piping for hydrant services shall have the minimum diameter of six (6) inches.

Section 7: Violations

1. Violations of Regulations

Any violation of these regulations may result in the Director ordering the shutting off of the water to the violator's premises. When the water has been shut off for violations of rules, or their offense, it shall not be turned on again until the Department is satisfied that there shall not be further cause of complaint and charges, fees, and penalties have been paid to cover the cost of shutting off and turning on the water.

2. Discontinuance of Service

Water service may be discontinued by reason such as nonpayment of water bills, fees, charges and liens or for violations of any rules and regulations contained herein, and in accordance with Massachusetts General Law 40 Section 42. Water bills not paid within sixty (60) days of issue date will be deemed overdue. When a water bill is deemed overdue, the property owner will be issued a demand charge. If the overdue water bill and demand charge and interest owed are not paid within the specified time, the account will be subject to termination and/or lien. Reconnection of a terminated service will be done only during normal working hours of the Department. A reconnection fee shall be applied. Water service will not be reconnected until all charges have been paid in full.

3. No Tampering with Department Property

All gates, valves, shutoffs, water meters, and standpipes and any other portion of the municipal system, which are the sole property of the Department, are not to be opened or closed or in any way

tampered with. Only personnel authorized by the Director may use this equipment. Violators will be subject to charges or penalties as stated herein or by Massachusetts General Law Chapter 165.

4. Any Unauthorized Use of Fire Hydrants

Any unauthorized use of fire hydrants without written permission of the Department will result in prosecution to the fullest extent of the law.

Section 8: Rates and Charges

1. Setting Fees and Charges

Fees and charges are subject to change upon approval of the Board and after all legally advertised public hearings and meetings have been completed.

Water Rates & Fees

Effective April 2, 2018 Billing Cycle

Water Rates	Rate / Fee	Semi Annual Billing
Base Rate 0 – 10,000 Gallons	\$51.86	Base Charge
10,001 – 35,000 Gallons	\$4.58	Per 1,000 Gallons
35,001 – 70,000 Gallons	\$7.29	Per 1,000 Gallons
70,001+ Gallons	\$10.33	Per 1,000 Gallons
Administrative Fees		
Consumption Report	\$25.00	Each
Drainlayer’s License	\$100.00	Fee
Fines		
Meter Tampering	\$300.00	Each Offense
Removal of Remote Reader	\$175.00	Each Offense
Unauthorized Water Use	\$500.00	Each Offense
Unauthorized Hydrant Use	\$500.00	Each Offense
Water Ban Violation (First)	Warning	Each Offense
Water Ban Violation (2 nd)	\$50.00	Each Offense
Water Ban Violation (3+)	\$200.00	Each Offense
Denied Meter Access	\$25.00	Each Day after written request
Service Fees		
Fire Flow Test	\$150.00	Fee
Turn On Water	\$50.00	Fee
Turn Off Water	\$50.00	Fee
Hydrant Use Setup	\$150.00	Fee
Service Connections		
Existing Home	\$200.00	Each
New Construction	\$2,000.00	Each

		Town of Medfield Application for Water Permit		Permit #: _____
Location _____	Permit Type: (Check One) <input type="checkbox"/> Water Connection (New Construction) <input type="checkbox"/> Water Connection (Existing Construction) <input type="checkbox"/> Water Repair <input type="checkbox"/> Water Main Extension <input type="checkbox"/> Water Disconnection			
Owner _____	Water Type <input type="checkbox"/> Private <input type="checkbox"/> Town Owned			
Contractor _____	Building Type <input type="checkbox"/> Residential (1 Unit) <input type="checkbox"/> Residential (2+ Units) <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial			
Contractor Signature _____	Date _____			
Pipe Description Length of Main/Service (ft) _____				
Pipe Size (in) _____	Material _____			
The Contractor understands and agrees to the following terms of this permit:				
1. All work performed under this permit is to be done in accordance with the latest version of the Town of Medfield Water Regulation and shall conform to all building and plumbing codes and the DPW Street Opening Rules if working in a right-of-way.				
2. Before excavation begins, the Contractor must call the Medfield Water Department at (508)359-8505 ext 3004 to mark lines. The Contractor must also call Dig Safe to mark other utilities. Dig Safe does not call the Medfield Water Department.				
3. The Contractor must provide a completed As-Built at the time of final inspection which includes ties to corporation and curb box.				
4. The cost of water connection, repair, or extension including labor, materials, and any other expenses is the responsibility of the owner.				
5. All water connections, repairs, or extensions and any testing required must be inspected by the Town prior to backfilling.				
6. The pipe is to be covered and bedded in accordance with the latest version of the Town of Medfield Water Regulations.				
7. Permit is valid for 180 days from approval.				
8. Contractor shall provide the following items required below:				
<input type="checkbox"/> Sketch of proposed service connection or repair				
<input type="checkbox"/> Design drawings and calculations provided by a Professional Engineer (required for extension of water mains, residential complexes, commercial buildings, and industrial buildings).				
Office Use Only				
	Yes	N/A	Fees	
Inspection Complete			Residential New Connection	\$ _____
As-Built			Residential Existing Connection	\$ _____
Testing Complete			Residential Complex Connection	\$ _____
Reports Submitted			Commercial Connection	\$ _____
			Industrial Connection	\$ _____
Notes:			Total	\$ _____
Department of Public Works Approval for Permit				
			Signature _____	Date _____
Inspector Approval				
			Signature _____	Date _____