

NASSAU COUNTY, NEW YORK
LOCAL LAW 1-2017

A Local Law to Amend Chapter 197 of the
Village Code Concerning Water

BE IT ENACTED, by the Board of Trustees of the Incorporated Village of Garden City, as follows:

Section 1. Chapter 197 of the Village of Garden City Code, entitled "Water", is hereby amended as follows:

Article III Metering

§197-15 Installation and reading of meters.

- A. The Village is in the process of converting all water meters in the Village to radio-read water meters. Use of radio-read water meter technology reduces the time needed to read meters and eliminates the need for Village personnel to enter upon private property to perform readings. Accordingly, conversion to radio-read water meter technology is in the interests of the Village and its residents.
- B. Upon enactment of this legislation, all properties receiving water service from the Village shall have radio-read water meters installed on the premises for the purpose of metering water consumption. The aforementioned meters shall be installed and owned by the Village. Old meters shall be removed by the Village and shall remain the Village's property.
- C. It shall be the responsibility of all water customers of the Village to maintain water lines, pipes and fixtures in good repair and condition at all times. If it is determined by Village personnel that a new radio-read water meter cannot be installed due to the condition of a customer's lines, pipes or fixtures, the owner and/or occupant of the property shall repair and/or replace the affected lines, pipes or fixtures within a reasonable time to accommodate installation of the new meter. Failure to comply with a directive by the Village to repair and/or replace defecting lines, pipes or fixtures shall be a violation of this chapter.
- D. Commencing March 15, 2017, the Village shall begin assessing a meter-reading fee of two hundred fifty dollars (\$250.00), which shall be charged to every property receiving water service from the Village that does not have a radio-read water meter installed on the premises. The meter-reading fee shall be a recurring charge assessed each time a manual water-meter reading is taken. A separate fee shall be assessed for each water meter read, in the event there is more than one meter on a given property.

- E. In the event a radio-read water meter fails to provide a reading, the owner of the property on which the meter is located shall grant the Village access to the meter, upon reasonable notice from the Village, to inspect, repair and/or replace the meter, as needed. Failure or refusal to grant the Village access to a nonfunctioning radio-read water meter shall be a violation of this chapter. Until the meter is repaired or replaced, the Village shall bill the property based on the average rate of consumption during the last three metering periods when the meter was working. If the Village is continually denied access to the premises for a period of one year, the Village shall assess an annual surcharge of \$500.00 against the property until the meter is replace or returned to operation.
- F. In the event it shall be impossible to read a manually read water meter due to the inability of the meter reader to gain admission to the premises on which such water meter is located, a courtesy customer meter reading form will be left at the premises. The customer shall record the water meter reading on the form and return it to the Department of Public Works within 10 days. If no reading is obtained by either manner, the Superintendent of Public Works shall prepare and mail to the water customer a bill for estimated water charges based on average rate of consumption during the last three metering periods when the meter was working plus a non-refundable administrative fee of \$50.00. Such bills shall be due and shall be paid in the same manner as bills based on actual meter readings. If the Village is continually denied access to the premises for a period of one year, the Village shall assess an annual surcharge of \$500.00 against the property until the meter is replaced or returned to operation.
- G. Personnel of the Village Department of Public Works shall have the full power to enter the premises of any water customer, upon reasonable notice, to inspect the Village's water meter and any associated lines, pipes and fixtures.
- H. It shall be unlawful for any person, other than authorized Village personnel, to alter, remove or tamper with a water meter installed on a water customer's property.
- I. All fees, charges and penalties assessed pursuant to this section may be enforced and collected in the same manner as a tax upon real property.

Article IV Enforcement

§197-16 Penalties. Violation of any provision of this Chapter shall be a violation of the Village Code punishable by \$250.00, or 15 days imprisonment, or both. Said fine or imprisonment shall be in addition to, and not in lieu of, any and all other remedies specified in this Chapter. In addition, the Village shall have the right to terminate water service to any property which fails to conform to the requirements of this Chapter.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.