

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 325 of said code; providing that *Water*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 325 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

SECTIONS –

Amend as follows:

§ 325-1. Available Water Surplus Account.

~~At the end of each fiscal year all receipts of the Water Department during such fiscal year in excess of its expenditures during such period shall be transferred to an account known as the "Available Water Surplus Account." Appropriations from such account shall be made in the customary manner, but only for the purpose of improving the water system of the City.~~

§ 325-2. Use of water from water supply.

~~No person, except an engineer of the Fire Department, shall draw or use water from any pipe or fixture connected with the water supply of the City except by permission of the Director of Public Works or his/her designee Superintendent of the Water Division.~~

§ 325-3. Interference with water supply.

~~No person shall make any opening or connection with a pipe, reservoir or source of water supply or turn on or turn off the water in any water pipe or reservoir, except by permission of the Director of Public Works or his/her designee Superintendent of the Water Division.~~

§ 325-4. Fishing in reservoirs.

~~No person shall fish in any reservoir or other source of water supply for the City, except by permission of the Director of Public Works or his/her designee Board of Public Works.~~

§ 325-7. Tampering with hydrants.

No person shall, except in case of fire, open a hydrant or lift or remove the cover of a hydrant, except by permission of the **Director of Public Works or his/her designee** ~~Board of Public Works~~.

§ 325-8. Billing procedures for water use.

A.

Every person, corporation, or entity who uses water supplied by the City of Northampton shall be charged for such usage at the **then-current annual rate set by the Board of Public Works**.

Article II. Water Emergencies and Restrictions

§ 325-12. Declaration of a state of water supply conservation

The City of Northampton, through ~~its Board~~ **the Department** of Public Works, may declare a state of water supply conservation ~~upon a determination by a majority vote of the Board~~ that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers. Public notice of a state of water conservation shall be given under § 325-14 of this article before it may be enforced.

§ 325-15. Termination of state of water supply conservation; notice.

A state of water supply conservation may be terminated ~~a majority vote of the Board of Public Works~~ **by the Department of Public Works**, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a state of water supply conservation shall be given in the same manner required by § 325-14.

§ 325-17. Violations and penalties; enforcement officer.

A.

Any person violating this article shall be liable to the City of Northampton in the amount as set forth in Chapter 40, Enforcement, for the first violation and for each subsequent violation which shall inure to the City of Northampton for such uses as ~~the Board~~ **the Department** of Public Works may direct. Fines shall be recovered by indictment, or on complaint before the District Court, or by noncriminal disposition in accordance with MGL c. 40, § 21D. Each day of violation shall constitute a separate offense.

B.

The ~~Board~~ **Director** of Public Works may designate any of its employees as enforcement officers. It may also designate any outside consultant as an enforcement officer if it deems such enforcement officer to be necessary for the enforcement of this article.