



PUBLIC HEARING NOTICE

TOWN OF JAMESTOWN

Notice is hereby given that the Board of Water and Sewer Commissioners of the Town of Jamestown will conduct a public hearing on May 18, 2009 at 6:00 p.m. at the Jamestown Town Hall, 93 Narragansett Avenue, on the following proposed amendments to the Rules and Regulations of the Board of Water and Sewer Commissioners.

Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendments are under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendments must be presented for comment in the course of the public hearing.

The proposed amendments are available for review and/or purchase at the Town Clerk's Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

The Town of Jamestown hereby ordains as follows:

Section 1. The Rules and Regulations of the Board of Water and Sewer Commissioners (the "Rules") for the Town of Jamestown, is hereby amended by changing the text of the Rules, as follows:

Amendment 1 — Urban Water District-section 14A, subsection (II) (2) (i), is hereby amended to as follows:

(i) ~~The applicant dedicated the use of the premises to single or two family a use as allowed by the Zoning Ordinance as a matter of right and not the result of any variances, consuming no more water than the average single or two family use; the consumption of an average single or two family use being the quotient derived by dividing the total consumption for all such uses by the total number of such uses connected to the water supply within the Town, averaged over a 3 year period.~~

Amendment 2 — Urban Water District-section 14A, subsection (III) (b) and (c), is hereby amended to as follows:

b. The applicant shall be subject to the requirements of subparagraph (b)(1), 2 and (3) of this section, 14A II; and

c. ~~The applicant shall show to the satisfaction of the Commission that the proposed expansion of use or change of use will not result in an annual consumption of water that is greater than the three year running annual average for the three previous years prior to the application, or an amount allowable under paragraph b(2) of this section, 14(A) H, whichever is greater.~~

Amendment 3 — Rural Water District-section 14B, subsection (a) (b) (3) and (4), is hereby amended to as follows:

14B. Rural Water Districts. All service connections and/or extensions in the Rural Water District shall be subject to the following conditions:

a. The applicants shall be subject to the requirements

described for connections extensions in the urban district for one or two-family residential uses.

b. The applicants shall show to the satisfaction of the Commission that the proposed ~~extension or~~ service connection requested is:

3. Will not reduce the level of fire protection of the community; the property premises shall not be part of a major subdivision, ~~except an Administrative Subdivision;~~

4. Extensions to and within the rural district shall be prohibited.

~~4. Is necessary because the land will not produce a sufficient quantity of potable water by drilling private wells. The minimum well depth shall be 300'.~~

Amendment 4 — Conservation-section 15A, subsections 1 through 4 and 7 (a) (b) is hereby amended to as follows:

CONSERVATION

15A. Limitations on Use. In an effort to conserve water, the following rules shall control the uses hereafter described:

1. No customer shall connect an in-ground or underground irrigation or sprinkler system to the municipal water system. Lawn irrigation shall be prohibited from June 1 to August 31.

2. No customer shall use water furnished by the municipal water system for lawn irrigation, house washing, boat washing, or residential car washing when the height of NORTH POND is more than 42 inches below the top of the spillway. ~~from June 30th through October 1st of each year; nor at any time between October 2nd and June 29th when the height of the North Reservoir is more than one foot below the top of the spillway and after publication in the manner set forth in this subsection 3. When the height of the North Reservoir is from one foot to three feet below the top of the spillway and after publication of said information in a daily or weekly newspaper of general circulation within the Town of Jamestown, no customer shall use water furnished by the municipal water system for the irrigation of vegetables or flowers for more than fifteen (15) minutes per day and on such days as hereinafter set forth. No irrigation shall occur on Saturdays or Sundays. Properties with a legal address with an even number may irrigate flowers and vegetables only on an even day of the month. The above properties may irrigate on August 1st, provided it does not fall on a Saturday or Sunday. Properties with a legal address with an odd number may irrigate flowers and vegetables only on an odd day of the month.~~

3. When the height of the North Reservoir is from three and one half feet ~~four feet~~ to five feet below the top of the spillway and after publication as described in subsection 2, above, no customer shall use water furnished by the municipal water system for any outdoor use.

~~4. When the height of the North Reservoir is from five feet to six feet below the top of the spillway and after publication as described in subsection 2, above, no commercial customer shall wash any vehicle using water furnished by the municipal~~

water system:

7. The Commission may temporarily suspend all or part of the Limitations on Use set forth in subsections 2, 3 and 4 above, for such period or periods of time and/or upon such terms and conditions it deems appropriate at a public hearing and upon a four-fifths (4/5) vote of all members of the Commission ~~and after meeting one of the conditions set forth in subsections a & b below~~ and upon a finding, upon a preponderance of the evidence, that it is satisfied that rainfall, other meteorological conditions, North Reservoir height, projected water usage needs, and other factors it deems pertinent establish that the suspension will not compromise the ability of the Commission to supply customers with adequate amounts of potable water for the foreseeable future, and that the suspension will not contribute to conditions inimical to the public health, safety, welfare or to the Town of Jamestown Water Supply Management Plan. The reason for and the dates comprising the period of suspension shall be set forth in the decision of Commission. However, the Commission may terminate the suspension at any time if it determines at public hearing and upon majority vote that a preponderance of evidence shows that conditions require reinstatement of the suspended subsection or subsections. Notice of public hearings hereunder shall be published in a newspaper of general circulation within the Town of Jamestown at least seven (7) days before the hearing. Notices of suspension, termination and/or reinstatement shall be published in such a newspaper within seven (7) days of the Commission's action.

~~a.) The height of North Reservoir is no more than twelve (12) inches below the top of the spillway.~~

~~b.) The height of North Reservoir is no more than thirty-six (36) inches below the top of the spillway and the date falls between the first Tuesday after Labor Day and until October 31st.~~

Amendment 5 — Services-section 18 is hereby amended to as follows:

SERVICES

18. All new and renewed services shall be a minimum of one (1) inch in diameter with no soldered joints underground. Services shall be Type K copper tubing. Customers who replace their service line at their discretion shall be responsible for excavating back to the main, backfilling with gravel and compacting the trench. The Commission shall re-tap the main, replace the tubing to the corporation stop and patch the road.

The Town Clerk is hereby authorized to cause said changes to be made to Chapter 22 of the Town of Jamestown's Code of Ordinances. This ordinance shall take effect upon its passage.

**By the Order of the Jamestown Town Council
Sitting as the Board of Water and Sewer
Commissioners**

ALL NOTE: This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 or 423-1212 not less than 3 business days prior to the meeting. Hearing or speech impaired individuals requiring the services of an interpreter should call 1-800-745-555 or 423-1212 not less than 3 business days prior to the meeting.