

Local Law 2 (2026)

A Local Law to Amend Chapter 215 of the Town Code of the Town of Niskayuna entitled “Water”

Section 1. Section 215-2 entitled “Entrance for inspection: shall be amended as follows:

The Superintendent of Water & Sewer or any other employee designated by the Superintendent of Water & Sewer may enter and must be permitted to enter upon any premises where water is being supplied or upon any premises when application is made for a permit to connect plumbing with the water pipes, for the purpose of servicing the water meter, inspecting the plumbing and fixtures of the water service and all work in connection with such service.

Section 2. Section 215-3 entitled “Shutoff for construction or repairs” shall be amended as follows:

A. Water may be shut off by the Superintendent of Water & Sewer acting on behalf of the Town Board or any other authorized agent of the Town Board from any service or main for the purpose of making or constructing new work or making repairs in the water system.

B. Any person who shall turn on such water supply without permission of the Superintendent of Water & Sewer or such other authorized agent of the Town Board shall be liable to a penalty as hereinafter provided for.

Section 3. Section 215-4 entitled “Lawn and garden watering and other outside use of water” shall be amended as follows:

Lawn and garden watering, automobile washing and other outside use of water, from May 1 up to and including October 31 of each year, shall be allowed only during such hours as shall be designated by the Superintendent of Water, Sewer. The Superintendent of Water, Sewer shall have the authority to promulgate rules and regulations otherwise restricting, limiting or banning the outside use of water within the Town.

Section 4. Section 215-6 entitled “Maintenance of service pipes” shall be amended as follows:

The owner of property into which water is introduced by a service pipe will be required to maintain in perfect order, at his own cost and expense, said service pipe from the street main to his own premises, excluding the corporation stop. Any leakage at the property owner’s point of connection to the corporation stop, including the service-to-corporation connection fitting, shall be the property owner’s responsibility, including all fixtures provided for delivering or supplying water for any purpose. The curb box must be kept in a serviceable condition and must be kept in view, with the top level with the finished grade at all times. If said service and fixtures are not kept in repair, the water may be shut off from the premises until the requirements of this rule are complied with; or the Superintendent of Water & Sewer may make the necessary repairs to conform to this rule and charge the cost to the owner of the property at which this rule is violated, collect such cost from the owner of the property, and shut off the water from said property until the charges are paid.

Section 5. Section 215-7 entitled “Supply to contractors” shall be amended as follows:

Water will be supplied to builders or contractors as such for construction purposes only upon application to the Superintendent of Water & Sewer or to such other authorized agent as the

Town Board may designate and receive a permit therefor in writing. Permits under this rule shall terminate on November 1 each year and may be revoked at any time by the Superintendent of Water & Sewer or by the Town Board. No person shall use water or make connections to hydrants without a permit.

Section 6. Section 215-8 entitled "Metering" shall be amended as follows:

A. All water shall be measured through meters furnished and installed by the Town for and on behalf of the several water districts. Upon application for water, there shall be paid to the Town of Niskayuna for tapping the main, including corporation cock, curb cock and curb box and for water meter, including installation, a reasonable charge therefor to be determined by the Superintendent of Water & Sewer at the time of installation.

B. Title to the meter shall remain in the water district the above fee being the rental for the use of said meter in keeping the same in repair. The water district shall keep all meters in repair without cost to the consumer, except for such repairs as are made necessary by the negligence of the consumer, such as hot water damages, freezing, mechanical injury, etc. No consumer shall be entitled to any refund whatsoever on account of rentals paid for the use of meters.

Section 7. Section 215-10 entitled "Fire hydrants" shall be amended as follows:

A. Applicability. All street hydrants are under the control of the Superintendent of Water & Sewer or such other authorized agent of the Town. No person, other than in an emergency, shall use a wrench for opening hydrants except a wrench furnished by the Superintendent of Water & Sewer or other authorized agent for that purpose. No person, except emergency service personnel, an authorized agent or the Superintendent of Water & Sewer or a person holding a written permit signed by the Superintendent of Water & Sewer or his designee, shall disturb any hydrant or any part thereof or take any water therefrom under any circumstances whatsoever, and any person who violates this provision shall be liable to a penalty as provided for herein and, in addition thereto, shall pay to the Superintendent of Water & Sewer, on behalf of the water district involved, any damage done to said hydrant or the cost of restoring the same to its proper condition.

B. Permit required. No person, firm or corporation, other than emergency service personnel, may open any street hydrant without first obtaining a permit from the Superintendent of Water & Sewer or his designee for each occurrence. Applicants for a permit under this section must file an application at least 24 hours prior to the occurrence.

C. Permit fee. The application for a permit shall be accompanied by a fee established by resolution of the Town Board.

D. Permission to open. All persons, except emergency service personnel, wishing to open a Ludlow hydrant must be accompanied by the Plumbing Inspector, Water Maintenance Supervisor or Public Works Inspector who may then issue authorization to operate other brand hydrants. Permission to open a hydrant will only be granted to a person who has been observed operating the hydrant in a proper manner and does not extend to the contractor.

E. Billing for water. All persons drawing water from a hydrant, except emergency service personnel, must obtain an agreement with the Town as to the gallons to be drawn prior to the occurrence. Failure to renotify will result in the issuance of an estimated water bill.

F. Penalty. Any person, firm or corporation who shall fail to comply with the applicable provisions of this section shall be guilty of a violation, which shall be punishable by a fine of \$500. Each day that a violation continues shall be deemed a separate offense.

G. Obstructions. No person shall place any obstruction that will prevent free access to any fire hydrant.

Section 8. Section 215-11 entitled “Valves” shall be amended as follows:

Valves shall be operated by duly authorized agents only. No person, except an employee of the Town or the Superintendent of Water & Sewer or the corporation or water company supplying the water, shall open, close or in any way interfere with any valve or gate in any water main, conduit or street pipe.

Section 9. Section 215-13 entitled “Establishment of rates; nonpayment of rent” shall be amended as follows:

The Town Board shall make and establish from time-to-time water rates to be paid by inhabitants and consumers in the various water districts within the Town. Water charges shall consist of two components:

- A. All water service lines connected to any water district in Town shall be subject to a fixed readiness-to-serve charge, which will be established annually as part of the Town Budget process, or if outside of the Town Budget process, with a public hearing and resolution, and will vary based on water meter size.
- B. All users shall be subject to a per gallon usage charge added to the readiness-to-serve charge, and based upon the metered consumption of water, or an estimate of usage. The rate for the per gallon usage charge will be established annually through the Town budget process, or via Town Board Resolution any other time deemed necessary.

If water rents are not paid within 30 days of the receipt of a bill for the same, said unpaid water charges shall be subject to a penalty not exceeding 10% of the amount due. In the event that the Town Board shall deem it necessary in order to enforce the collection of water rents, it may elect and determine that the supply of water shall be cut off and the use of district water discontinued as to all persons or corporations that shall be in arrears in the payment of said rents, together with the penalty thereon, as hereinbefore provided, for the period of one year after the same shall become due and payable. If said Town Board shall elect to cut off the supply of water, it shall cause to be served upon the person or corporation so in arrears a written notice to the effect that they are in arrears and that their water supply shall be cut off unless, within 15 days after service of such notice, such water rents and penalty are paid in full. Upon the expiration of such 15 days, it shall be the duty of the Superintendent of Water & Sewer or such other authorized agent as the Town Board may designate to forthwith cut off the water supply of the persons or corporations failing to comply with such notice by omitting to pay their water rents so in arrears, together with the penalties thereon. Where the supply of water shall have been discontinued and shut off, the water shall remain shut off until said water rents and penalties are paid. In any case where water is thus shut off, a minimum charge of \$2 will be made before the water is turned on. All water charges shall be a lien upon the real property upon which or in connection with which the water is used. The Water Department shall annually file with the Town Board a statement showing the unpaid water charges in the respective districts. Such statement shall contain a brief description

of the property upon which the water was used, the names of the persons or corporation liable to pay for the same and the amount chargeable to each. The Supervisor, or his/her designee, shall transmit such statement to the Board of Supervisors of the County at its next regular meeting, and such sums against the property liable shall be levied and collected in accordance with the provisions of the Town law relating thereto.

Section 10. Section 215-41 entitled "Permission required to turn on water" shall be amended as follows:

No person or persons, without permission of the Superintendent of Water & Sewer or other authorized agent of the Town, shall turn on any water service which has been shut off by the Superintendent of Water & Sewer or such other authorized agent.

Section 11. Section 215-15 entitled "Applicability; exercise of powers" shall be amended as follows:

This article shall affect all water districts within the Town of Niskayuna. The affairs of the Water District being governed by Article 13 of the Town Law with District Commissioners, said district shall have and exercise such powers as relate in this chapter to the other water districts, and the powers conferred upon the Town Board by the Town Law relative to the other water districts not having District Commissioners are delegated herein by the Board to said District Commissioners of the Water District [No. 2], and said Water District shall be governed in accordance therewith.

Section 12. This law shall take effect pursuant to the Municipal Home Rule Law.