

By Mr. Cusack of Arlington, petition of John F. Cusack, other members of the General Court and others that the Metropolitan District Commission be authorized to promulgate regulations encouraging water conservation and the detection of water leakage. Housing and Urban Development.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO PROMULGATE REGULATIONS ENCOURAGING WATER CONSERVATION AND LEAK DETECTION AND PRESCRIBING PENALTIES FOR NON-OBSERVANCE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 92 of the General Laws is hereby amend-
2 ed by striking section 27 in its entirety and inserting in place thereof
3 the following new section 27 as follows: —

4 Section 27. The water board, water commissioners or superin-
5 tendent of any city or town in the metropolitan water district shall
6 for their own city or town have the charge and control of the water
7 sources, water and water works owned and used by said city or
8 town and not taken or used by the commission. Said board,
9 commissioners or superintendent shall distribute and control the
10 use of the water so furnished, and apply meters and extend the
11 pipes and other work as they deem expedient, shall keep the pipes,
12 fixtures and other works under their charge in good condition and
13 repair, but shall not exceed in any one year the amount appropriat-
14 ed by the city or town therefor. Said board, commissioners or
15 superintendent, with the approval of the mayor or selectmen, shall
16 annually on November first determine the rate to be paid for waters
17 by the owner of the premises to which the water is furnished, or by
18 the persons using the water: provided that the commission shall

19 have the authority to withhold delivery in whole or in part in any
20 case where such approval has not been obtained, but any such
21 withholding shall be subject to review by the superior court. The
22 commission is hereby authorized to establish such rules and regula-
23 tions on the use of water as it deems necessary for the conserving of
24 the water supply, or for the promotion of ongoing leak detection
25 programs. The commission may require that cities and towns
26 revoke or repeal arrangements which provide discounts for quanti-
27 ty usage of water. Said board, commissioner or superintendent
28 shall conform to such rules and regulations. The commission may
29 also, in any case where a board, commission or superintendent fails
30 to conform to such rules and regulations, adjust upward the con-
31 sumption figures for the community in which such board, commis-
32 sion, or superintendent supervises the water supply for the follow-
33 ing year by an amount up to but not exceeding ten percent, and
34 may continue so to adjust upwards until the community is in
35 conformance. Any such board, commission or superintendent
36 shall for the water works under their charge do all the acts and
37 things relating to buildings, machinery, roads, conduits, aqueducts,
38 pipes and drains, which the commission is authorized to do for the
39 water works under its charge, and may take land thereof on behalf
40 of the city or town by eminent domain under chapter seventy-nine,
41 in fee or otherwise, and shall do all such acts and things in the
42 manner in which the commission is authorized to do similar things.
43 The income received in each city or town from the water works
44 under the charge of its water board, water commissioners or super-
45 intendent shall be sufficient to pay the expenses of maintenance
46 and operation incurred by said board, commission or superintend-
47 ent; the interest and sinking fund requirements of all bonds, notes
48 or script of the city or town issued on account of the water works of
49 such city or town to be paid to the state treasurer as provided in
50 section twenty-six; the expenses of the extension of the works; and
51 the balance, if any, as the city or town may determine.

1 SECTION 2. The provisions of said new section 27 shall take
2 effect on November first, nineteen hundred and eighty-two.