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FORK UNION SANITARY DISTRICT

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Chapter 9
FORK UNION SANITARY DISTRICT

Article 1. In General.¹

Sec. 9-1-1. Definitions.

For the purposes of this chapter, unless the context specifically indicates otherwise, the following words and terms shall have the meanings respectively ascribed to them in this section:

Administrator shall mean the duly appointed agent of the board of supervisors, who shall be the administrative officer of the advisory committee.

Committee shall mean the advisory board of the Fork Union sanitary district.

District shall mean the Fork Union sanitary district.

Dwelling unit shall mean a separately maintained quarters with facilities for sleeping or cooking.

Facilities of the district shall mean any and all component and pertinent parts of the entire systems of the water pipe lines and their appurtenances, sewage pumping stations and treatment plants, including these items all others now constructed, installed, operated or maintained by the district, or any which may be approved and accepted in the future as additions or extensions of the systems.

Franchise territory shall mean the territory included within the boundaries of the Fork Union sanitary district.

Industrial wastes shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

Owner or developer shall mean any person having an interest, whether legal or equitable, sole or partial, in any premise which is, or may in the future be served by the facilities of the district which is, or may in the future be responsible for design and construction of facilities to be under the jurisdiction of the committee and to become a part of the public utilities system of the district.

¹For state law as to sanitary districts generally, see Code of Va., § 21-112.22 et seq.

Premises shall mean any building, group of buildings, or land upon which buildings are to be constructed, which is or may be served by the facilities of the district.

Sanitary sewage shall mean that water-carried waste which derives principally from dwellings, business buildings, institutions, industrial establishments and the like, exclusive of any storm and surface waters.

Sewage treatment plant shall mean any arrangement of devices and structures used for treatment of sewage.

Sewage works shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Sewer; public sewer. Sewer shall mean a pipe or conduit for carrying sewage. Public sewer shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by the sanitary district. (Min. Bk. 6, pp 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-2. Connection policy.

The owners of all houses, building or properties used for human occupancy, employment, recreation or other purposes, constructed subsequent to August 17, 1977 and situated within the district at a distance not greater than four hundred feet from any street, alley or right-of-way in which there is located any sanitary toilet or other disposal liquid waste facilities shall connect such facilities directly with the public sewer, and shall connect sources of water use to the public water main, when the district provides the necessary water lines to the property line. Any existing buildings or properties described above, presently being served by a well, shall hereafter be prohibited from connecting to a different well for needed water.

Any person failing to comply with the provisions of this section shall be guilty of a misdemeanor and shall be subject to a fine not to exceed fifty dollars for each offense. Each day of such failure shall constitute a separate offense. (Min. Bk. 6, pp 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-3. Subdivisions and industrial developments generally.

(a) The developer of any new subdivision intended for residential or commercial use or any combination thereof, or the developer of any industrial site shall construct all sanitary sewers and domestic fresh water distribution lines within his subdivision or development at his own expense. Immediately upon completion and acceptance of the

construction work, the sanitary sewer and water facilities with necessary easements shall become the property of the district.

(b) Where a public water main or sanitary sewer does not directly serve a new subdivision or development but such subdivision or development is adjacent to such main or sewer, the developer shall construct necessary water mains and construct and connect his sanitary sewers to one or more suitable private sanitary sewage pumping stations which shall discharge into a public sanitary sewer. Sufficient easements shall be provided. Immediately upon completion and acceptance of such construction works, the sewer works system shall become the property of the district.

(c) Where construction of an offsite trunk or lateral sewer or water line is deemed to be either necessary, feasible or advisable to connect the applicable systems of the subdivision or development to the suitable facilities of the district, the financial responsibility, location and detail of such construction shall be determined and agreements so established shall be in writing and acknowledged by both the developer and the committee. Each such proposed item of offsite construction shall be a separate matter for discussion and agreement.

(d) The committee shall, in conjunction with the engineers, review and approve, or revise if necessary to conform with standards acceptable to the committee, as hereinafter specified, prepared plans for all projects for developing, extending or constructing water mains and sanitary sewers and accessories proposed thereto within the district, or those lying outside the district, prior to any construction of such projects.

(e) Materials, workmanship and procedures used in work shall be in accordance with the standards and specifications established or approved by the board or committee.

(f) During progress of the work, the committee or the duly authorized engineers, inspectors or others who are directly concerned with the work shall have access to the locations of construction for the purpose of establishing to their satisfaction that the projects are being constructed to district requirements and in accordance with approved plans and specifications.

(g) After completion of the facilities, and on written request of the developer or owner responsible for the construction, the committee shall make a final comprehensive inspection of the completed projects and shall be satisfied as to conformance to plans and specifications before accepting the facilities to become a part of the public utilities system of the district.

(h) Any developer or owner who proposes to submit application to the committee for review and approval of plans and specifications for construction of facilities classified

hereinafter in sections 9-1-4.2, 9-1-4.3 or 9-1-4.4, shall be required to procure from the committee, and shall acknowledge in writing, the receipt of same prior to submitting his application, one set of this publication of sanitary district rules and regulations, together with one set of drawings showing detailed construction standards approved by the board for use in the district. The committee shall be obligated to furnish this one set of publication and drawings at no cost, on a bona-fide request.

(i) Additional sets of the publication and drawings may be supplied by the committee to any recipient of the one free set, at a cost of five dollars per set. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-4. Application for services - - Powers and duties of committee generally.

The committee shall accept, review and render decision on applications for water and sanitary sewer service to the premises described in the application from any person who is the owner of or legally represents the owners of land or who are tenants of land within the district.

The committee reserves the right to approve, revise, request additional data, design or information on, or to disapprove, any such application or plans pertinent thereto, which in the opinion of the committee is to the best interest of the district. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-4.1. Same - - Form; accompanying documents, etc., generally.

Applications for water or sewer service for existing or proposed new individual or multiple dwelling or commercial establishment to which the district service facility is immediately adjacent and available, shall be made in duplicate on a form prescribed and furnished by the committee for the purpose of such application and each form shall be accompanied by measurements, maps, drawings and such other data that will clearly establish and indicate the physical location within or with respect to the district of the premises for which the application is submitted and the location on the premises of the services applied for. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-4.2. Same - - Special requirements for certain buildings.

(a) Where service is desired for either water or sewer facilities, or both, for any individual building or group of buildings, whether intended for use as residential or commercial purposes and which are not classified as being the development of a new subdivision, or section thereof, and which will require the design and construction by the owner of new trunk, lateral or principal lines and any necessary appurtenances thereto in order to reach the district and which such new construction in its entirety shall ultimately be

accepted as an integral part of the facilities of the district, the application therefor shall be made in writing to the committee.

(b) Such application, stipulated in subsection (a) of this section, shall be accompanied by four sets of detailed plans showing accurate plans and profile design drawings of the lines and location, design and identification of all appurtenances and accessories pertinent thereto. It is preferable that such plans show on the same sheet, the plan and profile design of the contiguous sections of street or easement and the proposed utility as is indicated by the application.

(c) The design and detailed plans stipulated in subsection (b) of this section, and all subsequent revisions thereof, shall be prepared and properly signed by a civil engineer registered in this state. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-4.3. Same - - Special requirements for subdivisions and commercial areas.

(a) Where construction of water and sanitary sewer facilities is proposed by a developer or owner of any new residential subdivision or commercial area or any combinations thereof, and which facilities shall ultimately be accepted into the jurisdiction of the committee as a part of the public utilities system of the district, application for review of the design and plans for all such proposed construction shall be made in writing to the committee.

(b) Such application stipulated in subsection (a) of this section shall be accompanied by: (1) Four prints of the record plat of the subdivision or applicable section thereof which shall bear the approval of the board; (2) four sets of detailed plans showing accurate plan and profile design drawings, the proposed lines and the location, design and indication of all their appurtenances and accessories. It is preferable that such plans show on the same sheet, the plan and profile design of the contiguous sections of new street or easement and proposed water and sewer facilities. The design and detailed plans stipulated immediately above, and all subsequent revisions thereof, shall be prepared and properly signed by a civil engineer registered in this state; and (3) if any facilities other than pipe lines and their appurtenances are proposed by the applicant or required by the committee for the complete and satisfactory operation of the proposed utilities, such as water storage or pumping equipment, sewage treatment plants, sewage pumping stations , or other like equipment, the application shall be accompanied by four sets of detailed plans and specifications on design, equipment, materials and construction of such facilities.

The plans and specifications stipulated immediately above and all subsequent revisions shall be prepared and properly signed by a civil engineer registered in this state. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-4.4. Same - - Special requirements for industrial establishments.

(a) Application for proposed water and sewer facilities to serve any type of industrial establishment within the district shall be made in writing to the committee.

Complete information regarding plant location, type of industry, raw and finished products, approximate volume of utility requirements, types of industrial wastes to be discharged, proposed facilities for pretreatment of industrial wastes and other data pertinent to the industry, shall be accompanied by the application.

(b) The applicant for water and sanitary sewer services to serve industrial establishments shall conform to the requirements for application for the same as are provided in section 9-1-4.1 or subsection (b) of section 9-1-4.2, as may be governed by the location of proposed industrial site.

(c) Any design, plans and specifications, required as stipulated in subsection (b) of this section, and all subsequent revisions thereof, shall be prepared and properly signed by a civil engineer registered in this state. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-4.5. Same - - Procedure upon receipt of application by committee; revised plans and specifications generally.

(a) On receiving an application as prescribed by section 9-1-4.1, the committee will approve with or without revision, or disapprove the application and return one of the submitted forms to the applicant so marked to indicate the action taken by the committee.

Construction of any such approved service facilities shall conform strictly with the returned application form and notations indicated thereon by the committee.

(b) On receiving an application as prescribed by sections 9-1-4 to 9-1-4.4, the committee will review all data, design, plans and specifications and indicate thereon any revisions, additions, changes or deletions as is considered necessary in order that the proposed construction shall conform to the standards and best interests of the district. One marked set of the submitted plans and specifications shall be returned to the applicant.

After receiving the returned set of plans and specifications, the applicant shall prepare revised plans and specifications to conform with such revisions indicated by the committee and submit four sets of the revised plans and specifications to the committee.

On receipt of the revised plans and specifications, the committee shall check them for conformity with the initially marked revisions. If satisfactory, one of the revised sets of plans and specifications shall be returned to the applicant with written approval for construction.

Construction of any public utility facility under the jurisdiction of the district, and all its appurtenances and accessories, shall be in strict conformance with the final approval set of

plans and specifications stipulated in the paragraph immediately above. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-5. Deviation from approved plans.

In the event that an applicant for service under this chapter desires to deviate from the plans or specifications which have been approved by the committee for construction, or to make any changes or revisions therein, the applicant shall make such request to the committee in writing and state the reasons for his request.

Revised plans, specifications and other substantiating data, shall accompany the request in such manner, form and quantity as was required for the original application.

The procedure for all parties concerned for processing any such request for deviation from, or changes and revisions in, initially approved plans and specifications for construction shall be the same as stipulated for the original application for the project. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-6. As-built plans and specifications.

After completion of construction of the public utility facilities from approved plans on any project classified in sections 9-1-4.2, 9-1-4.3 or 9-1-4.4 the developer or owner responsible for the construction shall prepare as-built plans, based on accurate, field-obtained information, to show actual conditions of the finished construction. The as-built plans shall be revisions in and permanently indicated changes on the original tracings or master sheets from which were made the plans and specifications approved by the committee for construction. The as-built plans shall show, but may not be limited to the following:

(a) *Water line construction.*

(1) Scale accuracy location in plan of the line and all installed fittings, such as elbows, tees, crosses and reducers, and all cradle encasement, or special construction.

(2) Exact measurement to show positive location of all house services, valve boxes, blind or blank-flanged fittings and plugged terminals of lines. The measurements taken for these positive locations shall be taken from at least two reasonable adjacent and available, fixed and permanent objects such as fire hydrants, centers of sanitary or storm sewer manhole casting covers, corners or lines extended of buildings, power poles, etc.

In lieu of recording the positive locations indicated above, on the plans the committee will accept such locations shown by neat, legible and separate no-scale sketches or diagrams which are recorded in a progressive sequence

and clearly identified in a hard cover, permanently bound field type note book.

(b) *Sewer line construction.*

(1) Scale accuracy location of manhole invert and top casting elevations and numerical notation of the exact elevations of same as determined by field survey after construction. Elevations shall be in datum of the district.

(2) Scale accuracy indication of lengths and grades of lines between manholes and numerical notation of the exact lengths and grades, as determined after construction.

(3) Scale accuracy location of concrete cradle, encasement or special construction.

(4) Location of house services by measurement from the manhole immediately downgrade.

(c) *Sanitary sewage treatment plants and pumping stations, water pumping stations, all other comparable construction and building structures.*

(1) As-built plans and specifications shall accurately indicate all approved deviation from or changes in location or type of equipment installed and material used.

(2) Accurate listings of the name of the manufacturer of all operating equipment installed, together with model or style numbers, ratings, capacities and other pertinent information shall be provided as part of the as-built plans on the project.

(3) At least three complete sets of operation and maintenance manuals of all operating equipment, and all certificates of inspections, approvals, warranties and guarantees of equipment, materials and installations thereof, required by the project specifications which were approved by the committee shall be provided as a part of the as-built plans on the project. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-7. Final inspections.

At the completion of construction of any project of public utility facilities on any project classified in sections 9-1-4.2, 9-1-4.3 or 9-1-4.4, the developer or owner responsible

for the construction shall notify the committee, in writing, that the work has been completed. Together with the notification of completion, there shall be submitted to the committee all as-built plans, specifications and such other data and addenda relative thereto which is required in section 9-1-6. On receipt of the notification and as-built requirements, the committee shall make a final comprehensive inspection of the constructed facilities, examining in detail for conformance of the work with approved plans and specifications, alignment of sewer lines, infiltration factors to the satisfaction of the committee and best interests of the district.

A responsible representative of the developer or owner shall accompany the committee on the final inspection. The developer or owner shall furnish whatever labor is necessary for conducting the final inspection.

Deficiencies which are found to exist during the inspection shall be pointed out to the developer or owner's representative. Subsequent to the inspection, the developer or owner shall be furnished, in writing, a summary of the deficiencies found and corrections of which are required.

On notification that all construction deficiencies have been completed, the committee will inspect all such work. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-8. Acceptance of new construction.

(a) The committee shall accept newly constructed water and sanitary sewer service facilities, classified hereinbefore in sections 9-1-4.2, 9-1-4.3 and 9-1-4.4 on satisfaction of the following conditions:

- (1) That all requirements of section 9-1-7 have been fulfilled in the opinion of the committee;
- (2) That all matters relative to specific contracts between the developer or owner and the committee are in order;
- (3) That payment has been made by the developer or owner for all fees relative to applications and inspections;
- (4) That a civil engineer registered in this state certifies that the work has been completed in accordance with the approved plans and specifications; and
- (5) That explicit understanding exists between the developer or owner and the committee that the developer or owner shall be responsible for and obligated to correct any deficiencies in construction for a period of one year from the date of acceptance of the facilities by the district. This condition shall be stipulated in the written form of acceptance issued by the committee.

(b) Acceptance of the newly constructed facilities, when approved by the com-

mittee, shall be made in writing to the developer or owner responsible for the construction.

The issuance of the written form of acceptance of any such facilities shall constitute an unrevocable agreement between the developer or owner responsible for construction and the committee that the board of supervisors, acting for the district and any of its officers, agents, servants or employees shall be saved harmless by the developer or owner from liability and responsibility of any nature and kind for costs of, or payments on, labor, equipment or material used in construction of the accepted facilities or on account of any patented or factored for or used in construction of, or for the intended operation of the accepted facilities.

(Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-9. Use of sanitary sewers - - Prohibited discharges generally.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters into any public sanitary sewer. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-9.1. Same - - Certain prohibited discharges described.

Except as hereinafter provided, or under conditions specifically approved and detailed, in writing, by the committee, no person shall discharge or cause to be discharged into any public sanitary sewer any of the following described water or wastes:

(a) Any water or waste which may contain more than one hundred parts per million, by weight, of fat, oil or grease.

(b) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(c) Any garbage resulting from preparation, cooking and dispensing of food which has not been properly shredded.

(d) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(e) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(f) Any waters or wastes having a pH value lower than 5.5 or higher than 9.0 or

having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(g) Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(h) Any noxious or malodorous gas or substance capable of creating a public nuisance. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-9.2. Same - - Grease, etc., interceptors may be required.

Grease, oil and sand interceptors shall be provided by the owner when, in the opinion of the committee, they are necessary for the proper handling of liquid wastes containing such ingredients or any other of a flammable or harmful nature; except, that such interceptors shall not be required for private living quarters or dwelling units.

All interceptors shall be of a type and capacity approved by the committee. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas and watertight. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-1-9.3. Same - - Industrial, etc., waste; preliminary treatment facilities.

The admission or proposed admission into the public sewers of any waters or wastes resulting from any industrial or manufacturing process, products or comparable activity shall be subject to the review and approval of the committee.

When necessary, in the opinion of the committee, the owner of any such industrial or manufacturing establishment shall provide, at his expense, such preliminary treatment of his industrial waters or wastes as may be required to reduce objectional characteristics or constituents or to satisfy any other condition which the committee may decide is advisable in order to allow the admission of such waters or wastes into the sanitary sewers.

Plans and specifications and any other pertinent information relating to required or proposed preliminary treatment facilities shall be submitted for the review and approval of the committee. No construction of any such facilities shall be started until such approval has been obtained in writing. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Article 2. Water Division.**Sec. 9-2-1. Bills rendered monthly.**

Water consumption bills shall be rendered each water connection every month. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-2-2. Schedule of consumption charges.²

The monthly charges for water consumption shall be in accordance with the following schedule:

\$15.44 for first 2,000 gallons (minimum charge);
\$7.72 for each 1,000 gallons up to 300,000 gallons;
\$3.97 for each 1,000 gallons above 300,000 gallons.

In addition to the foregoing, during the existence of any water emergency which has been declared by the governing body in accordance with Sec. 9-2-12 of this Code, each and every charge for water consumption shall be subject to a surcharge of 10%. Such surcharge shall be calculated by multiplying the rates stated above by 110%. Such surcharge shall apply at the beginning of the regular billing period next succeeding the adoption of this section or the declaration of such emergency condition, whichever shall last occur. Such surcharge shall cease to apply at the end of the regular billing period which is nearest to, but not later than, 60 days after the governing body shall have declared such water emergency to be at an end.

(Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10; Ord. 11-3-80; Ord. 7-15-86; Ord 5-21-97, Ord. 7-15-98; Ord. 11-28-01; Ord. 11-20-02; Ord. 06-21-06)

Sec. 9-2-3. Turn on charge.

The charge for reconnection of water service at customer's request shall be five dollars. All outstanding bills shall be paid in full before water service is reinstated. There shall be no charge for turn on where required in normal service operations or for repairs or alterations to plumbing systems on private property. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-2-4. Availability charges - - Generally.³

² Amendment adopted 11-20-02 is effective on and after December 1, 2002 Amendment adopted 06-21-06 is effective on and after July 1, 2006.

There shall be a water availability charge, payable at the time application is made for connection to the water distribution system, as follows:

<i>Meter size</i>	<i>Charge</i>
5/8"	\$ 950
3/4"	\$1050
1"	actual cost (labor and parts) + 15%
1-1/4"	actual cost (labor and parts) + 15%
1-1/2"	actual cost (labor and parts) + 15%
2"	actual cost (labor and parts) + 15%
3"	actual cost (labor and parts) + 15%
4"	actual cost (labor and parts) + 15%
5"	actual cost (labor and parts) + 15%
6"	actual cost (labor and parts) + 15%

(Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10; Ord. 1-1-86; Ord. 11-28-01)

Sec. 9-2-4.1. Same - - To what charge applies.

The availability charge provided for by section 9-2-4 applies to work done up to the meter and material and labor in setting the meter, whether at the property line or on the premises. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-2-5. Meter deposit.

There shall be a deposit of twenty dollars made at the time application for water service is made, refundable at the time of termination of service; provided, that the applicant's bills are paid in full. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10; Ord. 1-1-86)

Sec. 9-2-6. Grace period, late charge and interest; when service disconnected.

The grace period for payment of all bills shall be thirty calendar days. A late charge of ten percent of the amount due or ten dollars, whichever is greater, shall be imposed on all outstanding bills more than thirty calendar days old. In addition, all outstanding bills more than thirty calendar days old shall accrue interest at the rate of ten percent per year. Water service shall be disconnected if bills are due over sixty days for residential users and thirty

³ Amendment adopted 11-28-01 is effective on and after January 1, 2002.

days for commercial users. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10; Ord. 2-4-98)

Sec. 9-2-7. Owner liable for delinquent charges.

In all cases where there are delinquent charges due the district, the owner of record of the property shall be held responsible or liable for payment of these outstanding accounts. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-2-8. Owner responsible for service line; penalty for failure to repair leaks, etc.

The property owner remains responsible for all the service line from the meter to the premises. Any leak or break occurring at any point on the service line from the meter to the premises shall be repaired immediately by a plumber at the owner's expense.

The FUSD manager may approve a plan for payment of charges arising from such a leak in any case in which he determines that (a) such leak was not caused by the negligent or wilful act of the customer; (b) such leak was discovered as quickly as might reasonably be under the circumstances; and (c) such leak was effectively repaired promptly after its discovery and prior to the approval of such plan. Such plan shall provide for the determination of the amount of water which shall have been lost as a result of such leak, payment for which shall be at the lowest marginal rate set out in Section 9-2-2 of this Code. Every such plan shall provide, at a minimum, for payment of all future service charges in timely fashion, and for the entire outstanding balance, together with interest at the rate of 10%, to be paid within a reasonable time, not to exceed 12 months.

Wilful failure to repair such leak or break may result in a penalty rate per day from the date the leak or break was first detected as follows:

- \$ 25.00 for 5/8" meter or 3/4" meter
- 50.00 for 1" meter
- 100.00 for 1-1/4" meter - 2" meter
- 250.00 for 2-1/4" meter - 3" meter
- 300.00 for all over 3" meter

(Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10; Ord. 4-21-99)

Sec. 9-2-9. Prorating bills.

Customers requesting discontinuance or establishing new accounts for water service shall be billed on the number of months or part thereof in the billing period when service was provided. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-2-10. Installation, care, etc., of meters.

(a) Water meters for new customer services shall be installed on the premises where practicable in a location which will assure against freezing or damage. They shall be installed as near as possible to the point of entry of the water service pipe. Customers shall be responsible for cost of repairs from the meter to the premises.

(b) Water meters installed on the premises shall be used with an outside reading device installed in a location agreeable to the district and the property owner.

(c) Water meters installed on the premises shall not be covered or so obstructed as to prevent ready access for maintenance or repairs.

(d) After proper installation of water meters, all meters shall be sealed by the district, which seals shall not be broken except by authority of the district.

(e) No water meter shall be moved or relocated except by district employees.

(f) Meters which cannot be installed on the premises will be installed at or near the property line.

(g) The district shall not be held responsible for water damage caused by burst water meters or connections.

(h) In case of meter damage causing leakage, the customer may shut off the water at the valve at the end of the service line. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-2-11. Right of entry of committee, etc.

The committee, the administrator or his duly authorized agent shall have the authority to enter at reasonable times any lot or house wherein district water is used to determine if there is any waste of water, and to inspect the plumbing. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-2-12. Authority of committee to regulate use of water during emergency.

Whenever the public water supply diminishes to the extent that in the judgment of the committee, the public health, safety and welfare are in danger, it may declare the existence of a water emergency. Whenever such emergency is declared, the public shall be notified by the publication of an emergency proclamation once a day for two successive days in a newspaper of general circulation throughout the area served, or by the distribution of printed circulars in

the area served. Such proclamation shall contain all the rules and regulations governing the use of water throughout the length of such period, and anyone violating any of the provisions thereof shall be guilty of a misdemeanor. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)

Sec. 9-2-13. Molesting, injuring, etc., fire hydrants, etc.

It shall be unlawful for any person to deface or injure any stopcock valve, fire plug or public hydrant, or anything connected with the district waterworks or throw or deposit any building material, rubbish or other matter on the stop box of a service pipe, valve box, or fire plug or meter, or cover up either with dirt or other material, or to remove or injure any cap or screw of a stop box, valve, fire plug, meter or hydrant or open any of them, or in any way molest them without authority from the committee; except, that in case of fire or when cleaning the fire hose, firemen are authorized to use the fire plugs and in cleaning or sprinkling streets, or for other district purposes, the fire plugs, valves, etc., may be used by employees of the district under the direction of the committee or administrator. Any person violating any of the provisions of this section shall be guilty of a misdemeanor. (Min. Bk. 6, pp. 321, 445; Min. Bk. 7, p. 92; Comp. 1974, ch. 10)