



# **WATER RULES AND REGULATIONS**

## **SOUTH GRANVILLE WATER AND SEWER AUTHORITY**

**BUTNER, N.C.**

**DECEMBER, 2005**

Revised Mar 2007

Revised Nov 2008

Revised Nov 2009

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**I. CLARIFICATION OF TERMS:**

**All references to water in this document shall be inclusive of water and sewer bills/connections/use/etc. except where specifically stated, and/or where may be in conflict with the SGWASA Sewer Use Ordinance, SGWASA Standard Specifications, or other local, state, or federal laws. Any discrepancies shall be clarified by the Executive Director with the most conservative measures taking precedence.**

Any references to person or customer shall refer to and/or includes any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or said person's or entity's legal representatives, agents or assigns. This definition includes all Federal, State, and local government entities.

**II. WHEN CONNECTIONS REQUIRED.**

(A) Every person owning a house, building or other structure used for human habitation or occupancy in the SGWASA service area and located on a lot which abuts or adjoins a street or alley along which is located a public gravity sanitary sewer, which is accessible within 200 feet of the lot, and a water line, which is accessible within 200 feet of the lot, shall make an approved water and sewer connection with the house, building or structure; provided, however, that no person shall be required to cross the private property of any other person to make the water and sewer connections.

(B) Every house, building or other structure used for human habitation or occupancy in the SGWASA service area which is located on a lot where no public sanitary sewer line is accessible, as defined in division (A) of this section, shall be connected to a septic tank approved by the State Board of Health or any other agency having jurisdiction over said connection.

(C) No person shall maintain, use or operate any privy, cesspool or any other means or system of sewage disposal within the SGWASA Service area, except as provided in this section.

**III. RIGHT TO SHUT OFF WATER IN MAINS.**

The authority reserves the right at any time to shut off the water in the mains in case of accident or emergency, or for the purpose of making connections, alterations or repairs, and the Utility Director shall make reasonable effort to notify all consumers within the district to be shut off at least one hour prior to such shutoff, except in case of

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accident or emergency, in which case the water shall be shut off without notice.

**IV. MAINTENANCE OF SERVICE PIPE AND FIXTURES.**

Persons taking water from the authority's mains must keep their service pipe and all fixtures connected therewith in good repair and protected from frost, at their own expense.

**V. CLAIMS AGAINST AUTHORITY.**

It is expressly stipulated by and between the authority and its water customers that no claims shall be made against the authority on account of the bursting or breaking of any water main or service pipe, any attachment to the waterworks, or for any incidental failure in the supply of water or temporary interruption of water service.

**VI. CLASSIFICATION OF SERVICE**

All utility services are classified as to type: Residential, Commercial, Industrial, Institutional or Other.

**VII. SOUTH GRANVILLE WATER AND SEWER AUTHORITY SCHEDULE**

**A. Water Rates**

These rates are set during the annual budget process, please refer to the SGWASA Rate Schedule.

**B. Water Development Fee**

Development fee is for system impact only; paid per built unit – Equivalent Residential Unit - ERU. Residential (includes apartments, trailers, all residential housing units), Commercial, Industrial, Institutional, Other.

These rates are set during the annual budget process, please refer to the SGWASA Rate Schedule.

**C. Water Tap Fee**

Tap fee is charged for each tap into the Authority's water main; charge is according to meter size. (An apartment complex, trailer complex or other multiple units complex having its own water main tapped into the Authority's water main would pay one (1) tap fee according to size of line or valve). Residential

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taps may be done by SGWASA and includes all labor, materials and installation.

All meters (residential – including apartments, trailers, etc. – Commercial, Industrial, Institutional, Other) become Authority property once tapped into the Authority’s water system.

These rates are set during the annual budget process, please refer to the SGWASA Rate Schedule.

**D. Sewer Rates**

These rates are set during the annual budget process, please refer to the SGWASA Rate Schedule.

**E. Sewer Development Fee (based on ERU)**

Development fee is for system impact only; paid per built unit – Equivalent Residential Unit - ERU. Residential (includes apartments, trailers, all residential housing units) Commercial, Industrial, Institutional, Other.

These rates are set during the annual budget process, please refer to the SGWASA Rate Schedule.

**F. Sewer Tap Fee**

These rates are set during the annual budget process, please refer to the SGWASA Rate Schedule.

Tap Fee is charged for each tap into the Authority’s sewer main; an apartment complex, trailer complex or other multiple units complex having its own sewer main tapped into the Authority’s sewer main shall pay one (1) tap fee according to size of line or tap.

**G. Miscellaneous Charges**

These rates are set during the annual budget process, please refer to the SGWASA Rate Schedule.

NOTE: Non-Residential Users with Pretreatment Permits will be required to reimburse SGWASA for actual costs incurred due to administering this program at their facility. This cost will be compiled annually and billed in equal amounts monthly.

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**VIII. CREEDMOOR Water and SEWER RATES**

These rates are set during the annual budget process, please refer to the SGWASA Rate Schedule.

**IX. APPLICATION FOR SERVICE**

- A. Users will complete an application to open a service account, specifying the type of service at SGWASA, 211 West C Street, Butner, NC 27509 and submit the deposit required. No service is allowed until deposit is submitted.
- B. SGWASA may reject any application for services not available under a standard rate, which involves excessive service cost, which may affect the supply of service to other users, or for other good and sufficient reasons.
- C. SGWASA may reject any application for a service account when the applicant is delinquent in payment of bills incurred for service previously supplied at any SGWASA location. When the owner of a premise(s) has been supplied water and has not paid for the same, SGWASA shall not be required to render service to anyone at said location where the water was used until said bill has been paid.

**X. DEPOSIT**

- A. All residential users will make a minimum service account deposit of (see Rate Schedule). Multi-unit (master meter) or high volume users will be required to place on deposit, with SGWASA, the equivalent of the estimated month's water bill or (see Rate Schedule), whichever is greater.
- B. The individual in whose name the service account deposit is made shall be responsible for payment of all bills incurred in connection with the service furnished.
- C. A separate service account deposit is required for each meter installed, whether apartments, trailer parks, individual houses or other.
- D. A deposit receipt is not negotiable and can be redeemed only at SGWASA.

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- E. If SGWASA finds that a request for deposit refund is questionable, it may require the applicant to produce the deposit receipt, properly endorsed.

**XI. INITIAL OR MINIMUM CHARGE**

- A. The initial or minimum water or sewer rate charge, as provided in the rate schedule, shall be made for each meter installed, regardless of location and water usage. Each meter requires a separate meter service account.
- B. In areas where service is furnished to a user during certain months only, the minimum charge for service for the period of non-use shall be the regular minimum as specified in the established rates of SGWASA.
- C. Water furnished for a particular lot shall be used on that lot only. Each user's service must be separately metered at a single delivery and metering point. Each commercial unit and each storeroom or stall used for business purposes shall be metered separately from any residential use and vice-versa, whether now in service or to be installed in the future.
- D. SGWASA shall charge, in unusual situations, (i.e. railroad bores, four-lane highway bores, etc.) the actual cost of installing a tap as may be requested by a potential customer. Said tap shall be inclusive of: tapping the existing main, running the service lateral to an agreed-upon location, any required boring/casing of an existing structure, etc. It shall be the customer's responsibility and expense for installing the water meter, box, and related appurtenances, acquiring the necessary easements/permits, and any engineering/legal fees that may be required to implement the request.
- E. When a customer requests that SGWASA move a water meter or fire hydrant (tap if applicable), SGWASA shall recover, from the customer the actual cost to fulfill said requested move.

**XII. SGWASA RESPONSIBILITY AND LIABILITY**

- A. SGWASA shall run a service line from its distribution line to the property line where the distribution line runs immediately adjacent and parallel to the property to be served and for which the availability charge then in effect for the size meter used will be charged.

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- B. Meters are to be installed at the property line or, at SGWASA's option, on the user's property or in a location mutually agreed upon.
- C. When two or more meters are to be installed on the same premises for different users, they shall be closely grouped and each clearly designated to which user each applies.
- D. SGWASA does not assume the responsibility of inspecting the user's piping or apparatus except for connection of meter to SGWASA's tap and to check valve/backflow preventer on user's side of meter.
- E. SGWASA reserves the right to refuse service unless the user's lines or piping are installed so as to prevent cross-connections or backflow.
- F. Under normal conditions, the user will be notified of any anticipated interruption of service.

**XIII. USER'S RESPONSIBILITY**

- A. Piping on the user's premises must be so arranged that the connections are conveniently located with respect to SGWASA's lines or mains.
- B. If the user's piping on user's premises is so arranged that SGWASA is called upon to provide additional meter reading, each place of metering will be considered as a separate and individual account.
- C. Where a meter is placed on user's premises, a suitable place shall be provided by the user for placing such meter, unobstructed and accessible at all times to the meter reader.
- D. The user shall furnish and maintain a private cut-off valve and check valve/backflow preventer on the user's side of the meter.
- E. The user's piping and apparatus shall be installed and maintained by the user at the user's expense in a safe and efficient manner and in accordance with the rules and regulations of the NC Department of Environment and Natural Resources and the NC Plumbing Codes.

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- F. The user shall guarantee proper protection for SGWASA property placed on the user's premises and shall permit access to it by authorized representatives of SGWASA.
- G. In the event that any loss or damage to the property of SGWASA or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the user, his agents or employees, the cost of the necessary repairs or replacements shall be paid by the user to SGWASA, and any liability otherwise resulting shall be assumed by the user.

**XIV. EXTENSION TO MAINS AND SERVICES**

- A. Water distribution lines to serve undeveloped property/subdivisions and all other property will be handled as follows:
  - 1. All extensions shall be in accordance with the South Granville Water and Sewer Standard Specifications Effective March 2007 or latest version.
  - 2. All costs are paid by developer.

**XV. ACCESS TO PREMISES**

- A. Duly authorized agents of SGWASA shall have access at all reasonable hours, to the premises of the user for the purpose of installing or removing SGWASA property, repairing and/or inspecting piping, reading or testing meters or for any other purposes in connection with SGWASA services and facilities.
- B. Each user shall grant or convey or shall cause to be granted or conveyed, to SGWASA a perpetual easement and right of way across any property owned or controlled by the user wherever said perpetual easement and right of way is necessary for SGWASA water/sewer facilities and lines to be able to furnish service to the user.

**XVI. CHANGE OF OCCUPANCY**

- A. Not less than three days notice must be given in person, in writing to SGWASA, to discontinue service for a change in occupancy.
- B. The outgoing party shall be responsible for all water/sewer consumed up to the time of departure or the time specified for departure, whichever period is longer.

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**XVII. METER READING – BILLING – COLLECTION**

- A. Meters will be read and bills rendered as follows:  
  
Meters read starting the 1<sup>st</sup> workday of each month with bills mailed by the last third of the month. SGWASA reserves the right to vary these dates or length or period covered, temporarily or permanently if necessary or desirable.
- B. Water bills will be in accordance with the SGWASA established rate schedule then in effect and will be based on the amount consumed for the period covered by the meter readings.
- C. Charge for service commences when the meter is installed and connection made, whether used or not. Sixty (60) days may be allowed for hook up or initial installation of the water system.
- D. Readings from different meters will not be combined for billing, regardless of the fact that said meters may be for the same or different premises or for the same or different users, or for the same or different services.
- E. Bills are due and payable upon receipt. Bills become delinquent on the 5<sup>th</sup> of the following month at the close of the business day (5:00 pm)\_. If the 5<sup>th</sup> falls on a weekend, bills will not be deemed delinquent until the close of the business day (5:00 pm) on the Monday following the weekend. If the 5<sup>th</sup> falls on a holiday, bills will be deemed delinquent at the close of business (5:00 pm) on the following business day. If the bill is not paid by the 12th day of the month following the due date, service will be discontinued. (See XVIII, C.)
- F. Failure to receive bills or notices shall not prevent such bills from becoming delinquent or relieve the user from payment.

**XVIII. SUSPENSION OF SERVICE**

- A. If the services are discontinued and all bills paid, the deposit will be refunded.
- B. Upon discontinuance of service for non-payment of bills, the deposit will be applied by SGWASA towards settlement of the account. Any balance in excess of \$2.00 will be refunded to user; but if the deposit is not sufficient to cover the bill,

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SGWASA may proceed to collect the balance in the usual way provided by law for the collection of debts.

- C. Service discontinued for non-payment of bills will be restored only after bills are paid in full, and a service charge of (see Rate Schedule) paid for each meter reconnected.
- D. SGWASA reserves the right to discontinue its service without notice for the following additional reasons:
  - 1. To prevent fraud or abuse.
  - 2. User's willful disregard of SGWASA rules.
  - 3. Emergency repairs.
  - 4. Insufficiency of supply due to circumstances beyond SGWASA control.
  - 5. Strike, riot, fire, flood, accident of any unavoidable cause.
- E. SGWASA may, in addition to prosecution by law permanently refuse service to any user who tampers with a meter or measuring device. If service is reinstated to user, a reconnection fee of (see Rate Schedule) and tampering fee (see Rate Schedule) is added to the unpaid balance on that meter and must be paid before service can be continued.

**XIX. COMPLAINTS – ADJUSTMENTS**

- A. If a user believes his bill to be in error, he shall present his claim, in person, at SGWASA office before the bill becomes delinquent.

Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The user may pay such bill under protest and said payment shall not prejudice his claim.

- B. SGWASA will make special meter readings at the request of the user for a fee of (see Rate Schedule) provided, however, if such special reading discloses that the meter was over-read, no charge will be made.
- C. Meters will be tested at the request of the user upon payment, by the user, for the actual cost to SGWASA for making the test; provided, however that if the meter is found to be over registered beyond one percent of the correct volume, no charge will be made.

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- D. If the seal is broken by other than the SGWASA Department's representative or if the meter fails to register correctly or is stopped for any cause, the user shall pay an amount estimated from the record of his previous bills and/or from other proper data.
- E. In the event of a water leak on the customer's side of the meter:
1. Customer has a 15 day grace period for repairs if notified by SGWASA personnel that a leak exists.
  2. Customer must produce signed statement from a NC licensed plumber that water leak has been repaired in a satisfactory manner or produce properly dated receipt(s) showing that plumbing repair materials were purchased if repaired by the customer
  3. The adjustment shall be 100% of the amount in excess of the previous twelve (12) months average billings for wastewater, excluding the month(s) of excessive consumption for which the adjustment is requested..
  4. If a twelve-month average is not available (new customer), the average will be based on the maximum number of months available for analysis. In the event that no previous months are available for average, 2000 gallons of usage per person in the household , or the rate of consumption after repairs, whichever is greater is allowed at the discretion of the Billing Clerk, Finance Officer, and/or Executive Director.
  5. No adjustment shall be made when the request for the adjustment is received more than ninety (90) days after the billing date of the bill to be adjusted in the case of an active customer, or thirty (30) days after the billing date of a final bill. Exceptions will only be made if there is proof of extraordinary mitigating circumstances.
  6. Adjustments will not normally be allowed for water loss arising from carelessness, negligence or lack of due diligence on the part of the customer, as it is the customer's responsibility to promptly discover and stop the loss of water.

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7. Only one adjustment shall be allowed in a one-year period for same type leak.

**XX. ABRIDGEMENT OR MODIFICATION OF RULES**

- A. No promise, agreement or representation of any employee of the SGWASA shall be binding upon SGWASA except as it shall have been agreed upon in writing, signed and accepted by the Executive Director.
- B. No modification of rates or any of the rules and regulations shall be made by any agent of SGWASA.

**XXI. REMOVAL OF METERS**

In some situations meters may be installed but not used. This is especially true as meters are put in during the early sign up period prior to actual construction of a building/dwelling. As stated elsewhere in these regulations, once a meter is installed, the minimum monthly charge will be billed to the user, whether or not the user has connected the user's residence.

In the event that such user should fail to pay the minimum monthly charge for a period of sixty days or more, then the meter will be removed. Any subsequent reinstallation will be charged at the rate of (see Rate Schedule) coupled with the payment of the current security deposits.

**XXII. BULK WATER PURCHASE**

- A. All bulk water shall be taken from the SGWASA Water Plant special metered location supervised by water plant personnel except for pools filled through owner's residential meter. Pool filling must include a pre and post meter reading.

NOTE: This does not apply to emergency conditions such as fire and the use of SGWASA hydrants for the purpose of fire protection for the public. (Estimates of water taken for fire protection training shall be submitted to the SGWASA office monthly.)

- B. No water shall be released to any person, company or corporation public or private, without first making application to the SGWASA office for same. The following information shall be needed when applying for bulk water;

- 1. Time and date of water draw

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2. Approximate amount of water needed
3. Purpose of water

The amount of water received shall be paid upon receipt of that water unless a special account has been established. Water is billed at (see Rate Schedule) per 1,000 gallons plus a (see Rate Schedule) permit charge which is good for one month. All bulk purchases must be made Monday through Friday unless a special account has been established.

### **XXIII. ENFORCEMENT**

(a) Civil penalties.

Any person who violates any of the provisions of this ordinance shall be subject to a civil penalty of up to one thousand dollars (\$1,000.00) per day. The person alleged to be in violation shall be given notice of the civil penalty by registered or certified mail and the notice shall specify the reasons for the assessment of the civil penalty. If the person assessed fails to pay the amount of the assessment to the authority within 30 days after receipt of such notice, the authority may institute a civil action in the appropriate division of the General Court of Justice of the county in which the violation occurred or, in the discretion of the authority, in the General Court of Justice of the county in which the person has his or its principal place of business, to recover the amount of the assessment. The validity of the authority's action in assessing the violator may be appealed directly to the General Court of Justice in the county in which the violation occurred, or may be raised at any time in the action to recover the assessment. No failure to contest directly the authority's action in levying the assessment shall preclude the person assessed from later raising the issue of validity in any action to collect the assessment.

(b) Injunctive relief.

Whenever the authority has reasonable cause to believe that any person is violating or threatening to violate any of the provisions of this ordinance, the authority may, either before or after the institution of any other action or proceeding authorized by this ordinance, institute a civil action in the name of the authority for injunctive relief to restrain the violation or threatened violation. It shall not be a defense to the application made by the authority therefor that there is an adequate remedy at law. In addition, if the violation involves a condition existing upon, or use made of, real property, the violation may be enforced by injunction and order of abatement as allowed by N.C. Gen. Stat. §160A-175(e).

(c) Multiple remedies allowed.

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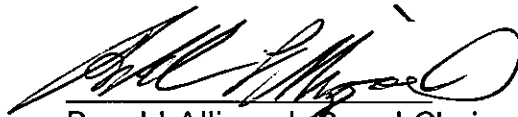
This ordinance may be enforced by any one, all, or a combination of the remedies authorized and prescribed herein.

(d) Continuing violations.

Each day's continuing violation shall be a separate and distinct offense.

**XXIV ADOPTION OF RULES**

Until further request of the SGWASA Executive Director, the rules and regulations as above set out are hereby adopted as of the date hereof to become effective this the 10<sup>TH</sup> day of November, 2009.



Ronald Alligood, Board Chair  
South Granville Water and Sewer Authority

ATTEST:

  
Lindsay L. Mize, Acting Clerk