

PUBLIC WORKS COMMITTEE

AGENDA

TOWN OF CHINCOTEAGUE

March 3, 2015 – 5:00 pm – Council Chambers – Town Hall

CALL TO ORDER

ROLL CALL

PUBLIC PARTICIPATION

AGENDA ADOPTION

1. Hallie Whealton Smith Drainage Project Update
2. Review Water Billing Adjustment/Conservation Ordinances
3. Questions/Comments

Adjourn

1. Hallie Whealton Smith Drainage Project Update

Consider design alternatives, and associated cost impacts, for the proposed Hallie Whealton Smith drainage upgrade project.

2. Review Water Billing Adjustment/Conservation Ordinances

Review the Town's current water billing adjustment and water conservation ordinances as they relate to excessive water loss caused by piping ruptured due to freezing. The relevant ordinances follow:

Sec. 62-59. Water bill adjustments.

(a) Adjustments to correct inaccurate readings. Adjustments to water bills to correct inaccurate readings shall be made in accordance with the following:

(1) Adjustments to water bills may be applied by the town to correct inaccurate reading of meters or incorrect readings caused by faulty meters. During the reading cycle, the town will automatically check anomalous readings to ensure accuracy.

(2) If a property owner wishes to contest the accuracy of a meter reading and subsequent water bill, he may request that the meter be checked or tested to verify the accuracy of the reading or the meter. If, after checking or testing the meter, the reading is found to be correct, the account will be charged a fee as established by the town council. If the meter or reading is found to be faulty or incorrect, the water bill will be adjusted accordingly. (Amended 4/19/07)

(b) Adjustments for water leaks. Adjustments for water leaks may be made in accordance with the following:

(1) In some cases, adjustments to a water bill may be granted for leaks in a property owner's water lines. The following minimum requirements shall be met to qualify for consideration of adjustment:

a. Underground pipe shall be buried a minimum of 18 inches in suitable material. Plastic pipe materials shall not be buried in shells, aggregate, or debris which may be abrasive to the pipe. b. Generally, adjustments shall be granted for all plumbing systems and material types. Leaks which occur in plastic threaded fittings or in inserttype fittings shall not qualify for adjustment. c. Water bills must be paid in full, prior to being considered for an adjustment.

(2) To qualify for adjustment, the property owner shall contact the town upon discovery of the leak and request an inspection of the leak and subsequent repair work by water department personnel. In lieu of such inspection, the property owner shall submit a repair bill from a qualified plumber with a notarized statement describing the repair.

(3) The property owner's request and supporting documentation shall be provided to the public works director for a decision. (Amended 06/06/11)

(4) The property owner will be notified in writing of the decision. If an adjustment is granted, the owner will be given a refund or credit on the next bill. The pending decision in no way relieves the owner of full payment of the current bill. (Amended 06/06/11)

(5) Adjustments are made through the date that the repairs are made and inspected by the town to that of the corresponding quarter of the previous year.

(6) Once an adjustment has been made, no further adjustment shall be considered for the same system for a period of five years. A system is defined as one meter or account number. (Code 1977, § 15-3; Ord. of 4-5-1999, § 15-3) (Amended 02/01/10)

DIVISION 5. WATER CONSERVATION

Sec. 62-130. Definitions.

The following terms, when used in this section, shall have the meanings ascribed herein:

Impervious surface means any artificially created surface which cannot be penetrated by water or which causes water to run off the surface, including streets, driveways, sidewalks and rooftops.

Person means any individual, partnership, firm, corporation, limited liability company, or other legal entity in whose name water is provided and billed by the town.

Repeated or flagrant wasting of water means and includes those situations where persons who have received notice that they are wasting water continue to do so in the same manner. It does not mean those persons who waste water on solitary or isolated occasions.

Town water means all water that passes through the town's water distribution system. This term does not include town water that is sold by the town to other governmental entities.

Water waste means any of the following:

(1) Using town water so that it falls directly onto impervious surfaces to the extent that running water leaves the property and enters gutters, storm drains, ditches and other conveyances; or

(2) Using town water to the extent that it is allowed to accumulate on the surface of the ground and leave the property and enter gutters, storm drains, ditches and other conveyances.

(3) Knowingly allowing town water to escape through leaks, breaks, or malfunctions within the water user's plumbing or distribution system for any period of time beyond which such a leak or break should reasonably have been repaired or corrected.

(4) Willfully or negligently wasting water in any other manner.

Sec. 62-131. Water waste prohibited.

(a) The governing body affirmatively finds that a water supply emergency is reasonably likely to occur within the town given the limited supply of public water available to the town and the high demand for such water especially during certain periods of the year if water conservation measures are not taken or imposed as provided herein.

(b) The public works director or designee shall identify persons who waste water.

(c) Whenever the director finds that any person wastes water, the director shall give such person oral or written notice of that fact.

(d) Whenever the director finds that any person repeatedly or flagrantly wastes water, the director shall serve upon such person a written notice (“notice of water waste” or “notice”). Such notice shall identify the person and the location at which water is being wasted, shall identify the manner in which the water is being wasted, and shall specify a time within which the wasting of water shall cease. The notice shall also warn that more severe measures (such as imposition of civil penalties or restriction or termination of water service) may be assessed or brought against the person unless the wasting of water ceases within the time provided. The time given to cease wasting water may range from a requirement for immediate compliance to 30 days, depending upon the facts and circumstances of each case.

(e) Any person who continues to waste water after the period of time specified in the notice for ceasing such activity shall be issued a citation and shall be subject to the civil penalty and enforcement procedures specified in Sec. 62-133 below. The civil penalty shall be paid within 30 days of receipt of the citation.

(f) This ordinance is adopted pursuant to the provisions of §15.2-923 and §15.2-924 of the Code of Virginia of 1950, as amended.

Sec. 62-132, Penalties.

(a) *Civil penalties.* Violations of this section shall subject the offender to a civil penalty as set forth in the town budget fee schedule, to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within the prescribed period of time after he or she has been cited. A violation shall be deemed continuing if the same wasting of water takes place on one or more days at the same location described in the notice and citation.

(b) *Other enforcement action.* Additionally, the director may restrict or terminate water service in accordance with law.

Sec. 62-133. Recycling.

(a) *Carwashes.* All new carwash installations shall be equipped with an approved water recycling system.

(b) Continuous flow equipment. All new construction, or repair/replacement, of continuous flow devices requiring a continuous water flow of five gallons per minute or more, not elsewhere covered by this section, shall be equipped with an approved water recycling system.