

UTILITIES

ARTICLE I. IN GENERAL

Secs. 62-1—62-25. Reserved.

ARTICLE II. WATER

DIVISION 1. GENERALLY

Sec. 62-26. Authority.

(a) No person except authorized public works department employees shall tap or make any connection or disconnection with water mains or distribution pipes or in any way tamper with the water meters or meter boxes of the town's water system.

(b) No person except public works department employees shall turn water meters on or off. Requests from customers to turn water on or off shall be in writing. Meters will only be turned on or off during normal working hours as described in subsection 62-58(b), except for a water leak or other such justifiable emergency.
(Code 1977, § 15-2-1; Ord. of 4-5-1999, § 15-2-1)

Sec. 62-27. Penalties for unauthorized operation.

(a) If the town's water meters, components of the water distribution system, or other such property is found to be tampered or interfered with, the plumber, contractor, service person or other party responsible for the tampering, interference, or illegal work shall be financially responsible for any repairs or replacements which may be required. A customer being supplied water through tampering, interference, or illegal installation, connection or equipment shall pay the amount which the town may estimate is due for water used but not registered on the town's meter and the cost of all such changes in the customer's installation as may be required by the town to correct any such illegal connection.

(b) Anyone found guilty of violating section 62-26 shall be guilty of a class 4 misdemeanor. (Code 1977, § 15-2-2; Ord. of 4-5-1999, § 15-2-2)

Secs. 62-28—62-55. Reserved.

DIVISION 2. RATES, CHARGES AND BILLING

Sec. 62-56. Rates.

(a) Water rates shall be established and adjusted as necessary by majority vote of the council.

(b) A minimum charge of \$13.00 per connection per quarter shall apply to all water users. The minimum quarterly bill applies to all water usage up to but not exceeding 6,000 gallons for each water connection.

(c) Water rates shall not be applied to connections for fire suppression systems described in section 62-57, except when water provided through such connections has been

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used for other than fire suppression. In such wrongful use, penalties described under section 62-27 shall apply.

(d) Water rates shall not be applied to churches and certain other nonprofit organizations except in cases where water usage exceeds forty thousand (40,000) gallons per quarter. In such cases, the church or nonprofit organization shall be charged at the commercial rate for the water used in excess of forty thousand (40,000) gallons. (Code 1977, § 15-1-1; Ord. of 4-5-1999, § 15-1-1)

Sec. 62-57. Connection fees.

(a) New connections to the water system shall be charged at the rate of \$550.00 for a five-eighths-inch by three-fourths-inch meter with three-fourths-inch connecting pipe, \$1,000.00 for a one-inch meter and two-inch connecting pipe, and \$1,350.00 for a two-inch meter and two-inch connecting pipe.

(b) The cost of service connections which are made to the system to provide for fire suppression systems shall be determined on a case-by-case basis as dictated by the requirements of individual fire suppression systems. Connection and meter sizes for fire suppression systems shall be determined by the size of the suppression system. Connections for fire suppression systems shall be made only by the town.

(c) Although water usage rates are not applied to churches and certain other nonprofit organizations, service connection fees shall be charged as applicable to the connection and meter as described in subsection (a) of this section. (Code 1977, § 15-1-2; Ord. of 4-5-1999, § 15-1-2)

Sec. 62-58. Billing and other charges.

(a) All water bills for residences, hotels, motels, rooming houses, cottages, trailer parks and all rental dwellings or rental property shall be charged to the property owner and not to the tenant.

(b) Water meters shall be read quarterly, and water bills shall be delinquent 30 days after the end of the quarter. A customer shall receive a second notice granting ten days to either pay the delinquent bill or to appear before the town manager to present reasons why service should not be terminated. If the town manager makes the decision to terminate service, the customer may appeal such decision to the public works committee of the town council by filing the appeal, in writing, at least 24 hours prior to the date of termination. If such appeal is filed, service will not be terminated until after a hearing and decision by the public works committee. No service shall be reconnected without payment of all delinquent charges plus a reconnection charge of \$40.00. Services shall only be reconnected during regular town business hours between 8:00 a.m. and 5:00 p.m., with such business hours occurring from Monday through Friday, except on certain days observed as holidays by the town.

(c) Any person voluntarily disconnecting service, other than seasonal, shall be charged a fee of \$25.00 for each reconnection. Reconstructions shall be made only during regular

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business hours described in subsection (b) of this section.

(d) Any service disconnected on a seasonal basis shall be billed at the minimum quarterly rate or at an amount commensurate to the usage, during the period of disconnection.

(e) A change of ownership fee of \$25.00 shall be charged to a water account transferred due to such a change.

(Code 1977, § 15-1-3; Ord. of 4-5-1999, § 15-1-3)

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 \$25.00. If the meter or reading is found to be faulty or incorrect, the water bill will be adjusted accordingly.

(b) *Adjustments for water leaks.* Adjustments for water leaks shall 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. Leaks must have occurred in the buried portion of the plumbing system, between the town's meter and the structure being served. 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 insert-type 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

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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 committee of the town council or its designee for a decision.
- (4) The property owner will be notified in writing of the committee's decision. If the committee decides to grant an adjustment, the owner will be given a refund or credit on the next bill. The committee's pending decision in no way relieves the owner of full payment of the current bill.
- (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)

Secs. 62-60—62-85. Reserved.

DIVISION 3. SERVICE CONNECTIONS AND EXTENSIONS

Sec. 62-86. Service connection categories.

(a) Each single-family dwelling or single business structure on a single parcel shall be served with one water meter and service connection. The meter shall be placed on the parcel of the structure being served.

(b) Multiple, single-family connected dwellings, connected rental unit structures, or connected business structures on a single parcel under singular ownership, such as apartment complexes, motels, hotels, shopping plazas and condominiums, shall be served by a single meter and service connection. The term "condominiums" as used in this section shall be defined as connected multiple-unit structures on a single parcel with the structure and parcel being jointly owned through an association or other legal vehicle. The meter shall be placed on the parcel of the structure being served.

(c) Multiple, single-family detached dwellings or detached rental units on a single parcel and under singular ownership and without property division, such as rental trailer parks and campgrounds, shall be served with one meter and service connection on the same single parcel of the structures being served.

(d) Multiple, single-family connected dwellings on individual and separate parcels and under individual ownership, such as town homes, duplexes, and triplexes, shall have individual meters and service connections serving and located on each of the parcels.

(e) Parcels which are leased for a period in excess of one year shall be considered under

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ownership of the lessee and, therefore, shall comply with the requirements of subsection (a) of this section.

(Code 1977, § 15-4-1; Ord. of 4-5-1999, § 15-4-1)

Sec. 62-87. Service connection requirements.

(a) Each parcel requiring a service connection to the water system shall be adjacent to a water main. Where properties are not adjacent to a water main, the following shall apply:

- (1) The water system (nearest main) shall be extended at the expense of the property owner and in accordance with the requirements of section 62-88.
- (2) A parcel may be served from a meter and connection located on the property of others, provided that the parcel owner has a recorded perpetual easement granted by the other property owner which provides for the installation and maintenance of the water meter and service line between the town's water main and the parcel to be served. The minimum width of such easement shall be five feet. The use of easements as described in this subsection shall not apply to any legal division of property occurring after November 7, 1991.
- (3) A parcel may be served from a connection, meter and service line located in an existing older easement and/or right-of-way, provided the use of such is not specifically described. The town will interpret such easements and rights-of-way to allow for total usage, which would include the right to install and maintain water utilities. Such easements and rights-of-way as described in this subsection must be adjacent to a water main and be contiguous to the involved parcel. The term "older," as used in this section, shall refer to property or divisions of property legally recorded prior to December 6, 1971.

(b) The use of nonspecific older easements and rights-of-way and perpetual easements shall only be permitted when there is no other practicable avenue available to provide water to the requiring parcel.

(c) The town is responsible for the service connection up to and inclusive of a meter serving a particular property and is not responsible for any piping or connection on the owner's property beyond the meter.

(d) Every property owner served by the water system through a service connection is required to install a valve to control the flow of water from the meter to his property. Meter valves, which are the property of the town, are not intended for such use.

(Code 1977, § 15-4-2; Ord. of 4-5-1999, § 15-4-2)

Sec. 62-88. Water main extensions.

(a) The owner and/or developer of a parcel requiring a water main extension by virtue of the requirements of subsection 62-87(a) shall request such extension from the town in writing. With the written request, the owner and/or developer shall also submit recorded drawings, plats or surveys depicting the parcel to be served by the requested extension. Such

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drawings shall include the delineation of the utility easements to be used by the town for the placement and maintenance of the requested water main. Delineated easements on recorded drawings shall include the finished grade elevation of the easement area. In the absence of utility easements being included in recorded drawings, easements and certification of elevation may be conveyed through separate perpetual deed of easement or agreement to the town. Utility easements shall be a minimum of ten feet in width. Pavement for roadways shall not be installed over utility easements.

(b) Upon review of the request and within 30 days of the request, the town shall design and size the appropriate extension to the water system and calculate the cost of installation of the extension. Costs shall include a ten-percent administrative fee. The requester will be notified of the cost of the installation and allowed 30 calendar days to initiate the installation by paying the provided cost. If payment is not made within the allotted time, the requester shall submit subsequent requests as necessary to allow the town to calculate the new cost. The town shall have the right to recover costs incurred from repeated design and calculation in subsequent cost calculations.

(c) Once payment for an extension is made, the town shall schedule and implement the work within 60 calendar days.

(d) Water main extensions shall be designed and sized on a case-by-case basis, but in no case will pipe with inside diameter sizes of less than six inches be used for mains, nor will required fire hydrants be deleted from a potential extension.

(e) Property owners assume all responsibility for delineation of property to be served by water mains and the delineation of utility easements to be used for the installation of water mains. All property markers relevant to water main installation shall be in place in the field and located prior to the town's installation work.

(f) All obstructions to the path of the water main and service connections shall be cleared by the property owner prior to installation work.
(Code 1977, § 15-4-3; Ord. of 4-5-1999, § 15-4-3)

Sec. 62-89. Reimbursement of extension costs.

(a) When a water main is extended across the frontage of unimproved parcels for the purpose of providing service to another parcel, the owner of the parcel being served shall be entitled to recover some of the costs of the water main extension. In no case shall this entitle owners or developers of subdivisions to reimbursements.

(b) The original cost of the water main extension shall be divided equally by linear foot to apply to the frontage of property across which the main is being extended. When lots adjoin the water main on two sides, the apportioned cost will further be factored as half of the linear-foot cost. When lots along the main are improved with structures requiring service, the town shall collect the apportioned amount of the original cost of the installation with connection fees from the newly requiring parcels. The parcel owner originally initiating and paying for the extension shall then be reimbursed by the town.
(Code 1977, § 15-4-4; Ord. of 4-5-1999, § 15-4-4)

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Secs. 62-90—62-115. Reserved.

DIVISION 4. WATER USAGE PLAN

Sec. 62-116. Normal operation.

The town's water supply and distribution system shall be operated by a qualified operator and division supervisor under the purview of the director of public works and town manager. The supervisor/operator shall report routine operations and daily water usage to the director of public works and town manager. The town manager shall further advise the public works committee of the town council and the mayor.
(Code 1977, § 15-5-1; Ord. of 4-5-1999, § 15-5-1)

Sec. 62-117. Water shortages.

For the purposes of this division, categories of water shortages shall be as follows:

- (1) *Category I: major water leaks or mechanical failures.* If a major leak or mechanical failure occurs, repairs shall be immediately initiated by the department, and the town manager shall immediately be notified of such. In conjunction with the town manager and public works committee chair, the waterworks supervisor and the director of public works shall determine if a water shortage will occur as a result of the leak or mechanical failure.
- (2) *Category II: serious water shortage.* If, through department review, a serious water shortage will occur, the town manager shall be immediately notified. After consultation with the mayor and public works committee chair, a public announcement shall be made to curtail car washing, lawn watering, garden watering, and usage by swimming pools and other recreational facilities, all on a voluntary basis.
- (3) *Category III: critical water shortage.* In critical water shortages the public announcement shall curtail the water usage as provided in subsection (2) of this section and additionally restrict the use by motels, hotels, tourist homes, campgrounds, trailer parks and all commercial establishments. Such establishments shall be required to notify their customers and restrict water usage for bathing and other purposes to a bare minimum. Restaurants and food service establishments will provide water to customers only when requested. All curtailments during the critical water shortage will be mandatory. During critical water shortages a moratorium shall be placed on all new water service connections.

(Code 1977, § 15-5-2; Ord. of 4-5-1999, § 15-5-2)

Sec. 62-118. Public announcements.

All announcements of water shortage shall be made through local radio stations or through the town's EOC established procedures. Announcements shall establish restrictions and assign an effective date for restrictions. Restrictions shall not be removed until so announced by radio.

