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Statutory reference:

Acquisition and operation of utilities as public enterprises, see G.S. 160A-311 et seq.

§ 50.01 SERVICE CONTRACTS.

All pertinent provisions of this chapter shall govern the terms and conditions of the contracts under which the town furnishes water service to any person, or whereby the town makes any water connections or performs any work of any kind in connection with the furnishing of water service.

§ 50.02 SUPERVISION BY TOWN MANAGER.

The water system shall be under the supervision of the Town Manager. The duty of enforcing full compliance with all rules and regulations governing all connections with the mains shall be vested in the Director of Public Works. (Ord. Passed 11-13-01)

Cross-reference:

Appointment of town officers, see § 21.05

§ 50.03 DIRECTOR OF PUBLIC WORKS; DUTIES.

The Director of Public Works shall:

- (A) have general supervision over all the operations of the water system;

- (B) see that all rules and regulations of the town are enforced; and
- (C) see that all water rates and assessments are correctly made by the Customer Services Superintendent. (Ord. Passed 11-13-01)

§ 50.04 WATER CONNECTIONS REQUIRED; SEPARATE CONNECTIONS

All owners of improved property located within the corporate limits laying within a distance of 200 feet of any town water line shall connect their premises with the town water system, provided that structures existing at the time a new water line is constructed and located more than 500 feet from said line shall be exempt from this requirement. The town council may delay or waive the requirement for connection where a determination is made that it is impractical to connect due to topography or other just causes. New construction shall be required to connect to an existing water line prior to receiving a certificate of occupancy. Existing developed property to be served by a new town water line may connect as soon as the new service is available, but will not be required to connect for a period of two years from the date the service is available. If the property is connected at the time the service is available, the current connection fee shall apply. If the connection is delayed, the fee will be increased by 10% during the first year and 20% during the second year after the service is available. Nothing in this section shall prohibit the continued use of water from private wells for any purpose other than domestic use. There shall be no cross connection of the town water system with any private well or any other source of water supply. (Ord., passed 7-09-02, Am. Ord., passed 8-09-05)

§ 50.05 CONNECTIONS TO BE MADE UNDER SUPERVISION.

The construction of laterals for water connections, and the necessary excavation therefor, shall be done by the town, or, if done by a licensed plumber, it shall be done under the supervision of the town.

§ 50.06 APPLICATION FOR CONNECTIONS.

Every application for a water connection shall be on a form provided by the town, shall be signed by the owner or an authorized applicant on behalf of the owner, shall be accompanied by the proper fee for making the connections, and shall be filed with the Customer Services Superintendent. (Ord. Passed 11-13-01)

§ 50.07 CONNECTION CHARGES.

Charges for connection to the town water system will be as established by the Council.

§ 50.08 RIGHT OF ENTRY.

Whenever it becomes necessary to enter any premises, store, or dwelling, for the purpose of inspecting water pipes, fixtures, or meters, town employees may do so during reasonable hours. Should the employee be refused admittance, the supply of water shall be cut off until the examination is made and the required information is obtained, or until repairs and alterations are made.

§ 50.09 WATER METERS.

(A) Any water meters furnished by the town shall remain the property of the town.

(B) At the request of any consumer, the town will test the accuracy of a water meter alleged to be recording improperly. If the

meter is found to be inaccurate, the consumer's water bill may be adjusted accordingly. If the meter is found to be accurate, the consumer will be charged a fee of \$5.

§ 50.10 CONNECTIONS OUTSIDE OF TOWN.

No connection of any water line or system outside of the town shall be made to any part of the town water system without special permission from the Council on such terms as the Council shall prescribe.

Penalty, see § 10.99

§ 50.11 UNAUTHORIZED USE OF WATER.

Only authorized town employees may connect or reconnect water service. If water is found to be in use without being turned on by an authorized town employee, or if water is used for any other purpose than that paid for, the consumer of the water shall be guilty of a violation of this chapter.

Penalty, see § 10.99

§ 50.12 LEAKS.

If a break occurs, or a defect is found in any pipe or fixture, causing or permitting a leakage or waste of water, it shall be the duty of the owner of the premises or the consumer to have the break or defect repaired.

§ 50.13 WATER FOR USE OF CONSUMERS ONLY.

It shall be unlawful for any consumer to permit any person, except the members of his or her family or employees living on the premises as a part of the household, or visitors in the home to remove water from the premises for any purpose except in case of fire or other emergency. Any person unlawfully receiving or using water shall be guilty of a misdemeanor, and if it is shown that the unlawful use has been made with the knowledge and consent of the consumer, the consumer shall be deemed equally guilty.

Penalty, see § 10.99

§ 50.14 WATER FOR BUILDING PURPOSES.

Any person desiring water for building purposes shall make application to the town for a permit. He shall state the time when the work will be completed, and shall pay in advance for the water at the regular rates. At the completion of the work, the estimate will be revised and any additional amount will be collected, or surplus refunded, as the case may be. This section shall apply where the consumption of water is not rated by a meter.

§ 50.15 INJURY TO PROPERTY AND FIXTURES.

It shall be unlawful for any person to injure, deface, or destroy the building, machinery, fences, trees, or other property of the town

water system, or in any way to contaminate the town water supply.
Penalty, see § 10.99

§ 50.16 TAMPERING WITH METERS.

It shall be unlawful for any person, after the water has been turned off for failure to pay the water bill, to turn the water on at the meter or to bypass the meter or in any manner to obtain water at no cost.

Penalty, see § 10.99

§ 50.17 CONTINUITY OF SERVICE.

The town will not be liable for any damages that may result to consumers from the shutting off of water service for any cause whatever, even in cases where no motive is given, and no deduction from bills will be made in consequence thereof.

§ 50.18 WATER RATES AND CHARGES.

The rates and charges for water service shall be as established by the Council and shall be due and payable monthly. A copy of the current rates and charges shall be kept on file at all times in the office of the Clerk.

§ 50.19 METER READING; BILLING; COLLECTING.

(A) Meters will be read and bills rendered bi-monthly, but the town may vary dates or length of period covered, temporarily or permanently, if necessary or desirable.

(B) Bills for water shall be addressed to and shall be payable by property owners, regardless of tenancy. (Ord. Passed 11-13-01)

(C) Bills for water will be figured in accordance with the rate schedule then in effect, and will be based on the amount consumed for the period covered by the meter readings, but the amount payable for each billing period shall not be less than the minimum charge prescribed in the schedule of rates.

(D) Charges for service commence when the meter is installed and connection is made, whether used or not.

(E) Bills for water service are due when rendered and are delinquent after the tenth day of the following month. In the event the bill for water service is not paid in 15 days after it was rendered, a penalty of 10% of the outstanding balance shall be added and shall be paid by the consumer.

(F) Delinquent notices will be mailed to the consumer, and if not paid within five days after date of delinquency mailing, water service may be discontinued.

(G) Failure to receive bills mailed or notices shall not prevent the bills from becoming delinquent nor relieve the consumer from payment.

§ 50.20 SUSPENSION OF SERVICE.

(A) Service discontinued for nonpayment of bills will be restored only after bills are paid in full and payment of a reconnection service fee is made.

(B) The town reserves the right to discontinue water service without notice for any one or more of the following additional reasons:

- (1) To prevent fraud or abuse;
- (2) Consumer's willful disregard of the town's rules and regulations;
- (3) Emergency repairs;
- (4) Insufficiency of supply due to circumstances beyond the town's control;
- (5) Legal process;
- (6) Direction of public authorities; or
- (7) Strike, riot, fire, flood, accident, or any unavoidable cause.

(C) The town may, in addition to prosecution by law, permanently refuse service to any consumer who tampers with a meter or other measuring device.

Penalty, see § 10.99