

CHAPTER 53: WATER

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Statutory reference:

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

WATER SYSTEM**§ 53.01 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.

(`92 Code, § 50.01)

§ 53.02 SUPERVISION BY BOARD.

The water system shall be under the supervision of the Board. 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.

(`92 Code, § 50.02)

Cross-reference:

Public Works Department, see § 32.02

§ 53.03 DIRECTOR OF PUBLIC WORKS; DUTIES.

The Director of Public Works shall perform the following duties:

(A) He shall have general supervision over all the operations of the water system.

(B) He shall see that all rules and regulations of the town are enforced.

(C) He shall see that water rates and assessments are correctly made.

(`92 Code, § 50.03)

§ 53.04 WATER CONNECTIONS REQUIRED; SEPARATE CONNECTIONS.

All owners of improved property located within the corporate limits and on or within a distance of 200 feet of any town water line shall connect their premises with the town water system. 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.

(`92 Code, § 50.04) Penalty, see § 53.99

§ 53.05 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.

(`92 Code, § 50.05)

§ 53.06 APPLICATIONS FOR CONNECTIONS.

(A) The application for a connection to the water mains and for the use of water must be signed by the owner of the premises to be so supplied, or his duly authorized agent, on the proper form provided for that purpose. An application signed by the tenant only will not be considered.

(B) All applications for the use of the town water must be made on proper forms to the Board of Aldermen.

(`92 Code, § 50.06)

§ 53.07 PERMIT REQUIRED TO MAKE CONNECTIONS.

No person shall be allowed to tap any water main or connect with any town water lines except after making application and receiving permit from the Board of Aldermen, and no plumber or other person shall be allowed to tap any of the mains until he shall have given to the town a justifiable bond for the sum of \$200 to indemnify the town against any damage he may do to the mains, such as cracking or breaking the same in making such taps. The bond shall be renewed each and every year during the time the plumber is in business in the town.

(`92 Code, § 50.07)

§ 53.08 CONNECTION SPECIFICATIONS.

Any connections shall be made with materials and in accordance to specifications approved by the town.

(`92 Code, § 50.08) Penalty, see § 53.99

§ 53.09 CONNECTION CHARGES.

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

(`92 Code, § 50.09)

§ 53.10 CUT-OFF VALVES REQUIRED.

A stop and waste cock, or cut-off valve, must be placed by the property owner at the property line, or at such point where the pipe leaves the street line; such cock or valve to be under the control of the property owner or tenant, to be used in case of a break or other necessity whereby pipes to be repaired can be cut off without using the street corporation cut-off. As many additional stops or waste cocks as desired by the owner may be placed within the premises to be used according to desire or convenience.

(`92 Code, § 50.10) Penalty, see § 53.99

§ 53.11 UNAUTHORIZED PERSONS NOT TO INTERFERE WITH CUT-OFF VALVES.

Unauthorized persons who may interfere with the valves or cut-off of the street mains or curb cocks, or any part of the water works system, shall be guilty of a misdemeanor, punishable as provided in § 53.99. Plumbers, duly licensed, may, in case of accident, shut off the water at curb cocks.

(`92 Code, § 50.11)

§ 53.12 TOWN MAY MAKE TAPS AND CONNECTIONS.

The town reserves the right to make all taps and furnish all connections up to the property line if deemed expedient, and to charge the same in addition to the time and labor for placing same, to the property owner.

(`92 Code, § 50.12)

§ 53.13 RIGHT OF ENTRY.

Whenever it becomes necessary to enter any premises, stores or dwellings to inspect any water pipe fixtures, meters or appliances, etc., the superintendent or inspector, or other authorized employee or agent of the town shall make demand at a reasonable hour for the right of inspection, and should the superintendent, engineer, inspector or other agent or employee authorized so to enter said premises or dwelling be opposed or refused admittance in the performance of his duty, the party or parties so opposing shall be guilty of a misdemeanor, and the supply of water may be cut off until such examination is made and the required information is obtained, or repairs and alterations are made as deemed necessary.

(`92 Code, § 50.13)

§ 53.14 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.

(`92 Code, § 50.14)

§ 53.15 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 Board on such terms as the Board shall prescribe.

(`92 Code, § 50.15) Penalty, see § 53.99

§ 53.16 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.

(`92 Code, § 50.16) Penalty, see § 53.99

§ 53.17 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.

(`92 Code, § 50.17)

§ 53.18 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.

(`92 Code, § 50.18) Penalty, see § 53.99

§ 53.19 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.

(`92 Code, § 50.19)

§ 53.20 UNNECESSARY WASTE OF WATER.

It shall be unlawful for any person to allow any spigot or other water opening on his premises to become out of repair so as to allow water to waste, and any person so offending shall be subject to a penalty as set forth in § 53.99 for every day the spigot or opening shall remain unrepaired after notice from the Chief of Police or other designated officer to repair the same.

(`92 Code, § 50.20) Penalty, see § 53.99

§ 53.21 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.

(`92 Code, § 50.21) Penalty, see § 53.99

§ 53.22 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.

(`92 Code, § 50.22) Penalty, see § 53.99

§ 53.23 CONTINUITY OF SERVICE.

The town shall not be liable for any damage that may result to consumers for shutting off a water main or service for any cause whatever, even in case where no notice is given, and no reduction from water bills will be made therefor. It is recommended that all parties who use town water for steam boilers, or other service where a stoppage of the supply would be liable to produce damage, to see to it that there is a tank or cistern from which water may be taken during the period water is cut off.

(`92 Code, § 50.23)

§ 53.24 METERS; RATES.

(A) All premises using the town water supply must be equipped with an adequate water meter furnished by the town but paid for by the consumer; provided, that such water service may be supplied by the town at a flat rate of charge until such meter is installed.

(B) All consumers of water provided by the town water supply shall pay such rates for the water as may be set from time to time by the Board of Aldermen. Bills for water used shall be dated and sent out at such times as may be directed by the Board, and payment shall be made within 30 days from the date of billing.

(C) The sum of \$1 per month shall be charged each customer being supplied with water by the town within the corporate limits of the town and the charge of \$1 shall be added to the water bill of the customers, but the charge shall be separately and distinctly designated on the water bill for the purpose of maintaining the sewage disposal system. (Ord. 102, passed 8-2-65)

§ 53.25 WATER DEPOSITS.

Each consumer applying for water service to a residence owned and occupied by him shall make a cash deposit as established by the Board.

(`92 Code, § 50.25)

§ 53.26 METER READING; BILLING; COLLECTING.

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

(B) 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.

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

(D) All water and sewer bills are due by the tenth of the month in which they are issued. If not paid by the twentieth of the month a 10% late fee will be automatically added to the past due balance and the total bill amount will be due. (Ord. passed 11-4-96)

(E) Delinquent notices will be mailed to the consumer, and if not paid within 15 days after date of mailing, water service may be discontinued.

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

(G) In all cases the owner of the premises shall be liable for the water rent.
(`92 Code, § 50.26)

Procedure for users with unmetered wastewater

Where any person discharging wastewater into the public sewer of the Town procures all or any part of his water from sources other than the water system of the Town, all unmetered wastewater usage will be set by the usage rates established by 15A NCAC 02T0114, as from time to time amended, except as provided herein. Any such person may, with the prior approval of the Town Board of Aldermen, install and monitor at his expense water meters of a type approved by the Town water department and be billed for sewer services based on actual usage of water.

Procedure for installation of meters:

1. Request and receive approval of the Town Board of Aldermen.
2. Submit for approval of water department, type of meter with specifications, design and layout of system to be installed and a maintenance and replacement schedule.
3. During installation of system, allow for inspection of installation by water department, with final approval of system required before placed into operation.
4. Provide written right of entry to water department to inspect system and take readings.
5. Provide maintenance and repair records in accordance with the approved maintenance schedule.

Should such person fail to maintain the system or comply with the terms hereof the usage calculations and billings will revert back to an unmetered wastewater system.