



# **Rules and Regulations for the Operation and Development of the Potable Water System of the Town Of Gate City, Virginia**

This policy was voted into effect at the regular scheduled Town Council Meeting on December 9, 2008. Section XIV was amended on November 10, 2009. Section IV and V amended March 20, 2009. Section XIV amended April 10, 2012. Section XIV amended September 11, 2012. Section XIV amended October 10, 2012. Section VI amended January 08, 2013. Section V - Exception amended September 10, 2013

## Table of Contents

SECTION I PURPOSE.....	1
SECTION II AUTHORITY OF WATER DEPARTMENT .....	2
Organization.....	2
Right of Access .....	2
Periods of Water Shortages.....	2
SECTION III FIRE HYDRANTS .....	3
Permit.....	3
Meter .....	3
Use of Hydrant Wrenches .....	3
Decorative Use of Hydrants.....	3
SECTION IV WATER SERVICE CONNECTION POLICY .....	4
Introduction of Water to Premises .....	4
Service Connection Pipe .....	4
New Connections; Application and Fee .....	4
Interconnection of Private Water System to the Town System .....	5
Separate Service Required for Each Use .....	5
Multiple Users.....	5
Master Meter Sizes .....	5
SECTION V WATER CHARGES.....	6
Multiple Hook-Ups on one (1) meter.....	6
Reading Meters .....	6
All Water Chargeable and Exception .....	6
Exception .....	7
User Billings .....	7
Payment of Utility Bills .....	7
Suspension of Service .....	8
SECTION VI OVERDUE BILLS AND DISCONNECTION OF SERVICE .....	9
Bad Checks .....	9
Customer needing to stop service .....	9
Delinquent Accounts.....	10
Partial Payments.....	10
SECTION VII DISPUTED WATER BILLS.....	11
Disputed Claims and Grievance Procedure .....	11
Disputed Claim Settlement .....	11
SECTION VIII WATER SYSTEM EXTENSIONS .....	12
General .....	12
Development within 5, 000 Feet of Town Water Lines.....	12
Development beyond 5,000 Feet of the Town Water Lines .....	12
Contract Required .....	13
Indemnification .....	13
Performance Bond Required.....	13
Insurance .....	13
Inspection - Construction.....	14

As-Built Plans .....	14
Water Line Construction.....	14
Water Treatment Plants, Pump Station and all other Comparable Construction and Building Structures .....	14
Completion.....	15
Inspection - Final .....	15
Acceptance of New Construction .....	15
Extension of Water Distribution System by the Town .....	16
<b>SECTION IX WATER SERVICE APPLICATION REQUIRING</b>	
<b>EXTENSION OF EXISTING LINES .....</b>	<b>17</b>
Application for Residential or Commercial Purposes-Adjacent to Service Area.....	17
Application for Residential or Commercial Purposes - Not Adjacent to Service Area.....	17
Application for New Residential Subdivision or Commercial Area .....	18
Application for Industrial Establishments .....	18
Disposition of Application.....	19
<b>SECTION X EXCAVATION AND UTILITY LINE INSTALLATION.....</b>	<b>20</b>
General.....	20
Goals and Objectives .....	20
Demolition or Excavation: Prior Notice .....	20
Performance Requirements for Demolition of Excavation.....	20
Contractor: Powers, Duties and Responsibility .....	21
Schedule of the Types of Connections.....	21
Scheduled Billing.....	22
<b>SECTION XII PENALTIES .....</b>	<b>23</b>
Notice to be Served.....	23
Penalty.....	23
Defacing or Destroying Town Utility Property .....	23
Tampering With Equipment .....	23
Town Not Liable for Damages .....	23
Unauthorized Taps .....	24
Liability.....	24
Obstructing Access to Meter.....	24
Unauthorized use of water Access.....	24
Defacing or Destroying Utility Property.....	24
<b>SECTION XIII CONFLICTING REGULATIONS REPEALED.....</b>	<b>25</b>
Validity .....	25
<b>SECTION XIV SCHEDULE OF FEES AND CHARGES .....</b>	<b>26</b>
Tap Fees .....	26
Due upon Connection .....	26
Miscellaneous Charges .....	26
Water Rates.....	27
<b>SECTION XVI GLOSSARY.....</b>	<b>28</b>
Definitions.....	28

## **SECTION I..... PURPOSE**

The purpose of this publication is to establish rules and regulations and policies for the operation of the Gate City Potable Water System. Said policies have been prepared in accordance with the laws of the Commonwealth of Virginia and apply to the potable water system facilities which are now or may in the future be under the jurisdiction of the Town of Gate City.

## **SECTION II..... AUTHORITY OF WATER DEPARTMENT**

The Water Department shall be an enterprise function of the Town of Gate City and shall have the responsibility of operation and maintenance of the Town Water System.

### **Organization**

The Town Council shall reserve the right to establish and amend the policies, rules and regulations pertaining to the operation and maintenance of the Town Water System.

The Town Manager shall have general supervision of the water system, Water Department and direct responsibility for its administration, operation and maintenance.

The Public Works Department Head shall have direct charge of all equipment, personnel and operation of the department on a day to day basis.

The Town Manager shall, at the end of the fiscal year, deliver a complete financial statement of the Department together with a detailed report of the utility operations of the proceeding year. The Town Manager shall also deliver monthly reports to the Town Council concerning the operations and financial status of the Department.

### **Right of Access**

The owner or tenant of any premises other than a single family residential unit which is connected to the Town's system shall permit the Town Manager, or any authorized employee of the Department to enter the premises at reasonable hours to inspect the work and plumbing therein. In case of refusal to permit such inspection, water services to the premises shall be disconnected.

### **Periods of Water Shortages**

The Town Manager and/or Town Council and/or Mayor shall determine when an emergency exists in any or all areas which are supplied with water from the Town during any period in which there is a shortage of water.

When any such shortage is detected, the Town shall contact the office of the Governor of the Commonwealth to request that a local emergency be declared within the Town. When such an emergency has been declared the Town Manager shall immediately post a written notice of such emergency at the front door of the Town Hall and at least three (3) prominent places for which the emergency has been declared. He/she shall also make other announcements by public media that an emergency exists.

The Town Manager shall use all available powers and authority granted to him/her under the Governor's declaration to take any action necessary to preserve available supplies for essential human needs.

## **SECTION III..... FIRE HYDRANTS**

Fire hydrants shall be provided for the safety of the public. No person shall open a fire hydrant for any purpose, except members of the Gate City Fire Department or employees of the Town Water Department.

### **Permit**

Any person desiring to use water from a fire hydrant, except a member of the Gate City Fire Department or an employee of the Town Water Department shall first obtain a written permit from the Town Manager or his designee. Application shall be made in writing, and shall include a statement of the purpose for which the water is desired and the exact location of the hydrant which is to be used.

### **Meter**

An approved hydrant meter and integral gate valve shall be used by the person granted permission to use a hydrant. Meters shall be provided by the department when approval is granted. The hydrant shall be opened, the meter installed, and the water turned on by the department. All control of water flow shall be by the gate valve installed with the meter.

### **Use of Hydrant Wrenches**

All persons operating fire hydrants, including town employees and members of the fire department shall use only suitable hydrant wrenches of the type or style approved by the town manager or his/her designee.

### **Decorative Use of Hydrants**

No person shall place, or cause to be placed, an inoperative fire hydrant, or any device that resembles a hydrant in such a manner as to be confused with a functioning fire hydrant. Inoperative hydrants shall not be placed within seventy-five (75) feet of any public or private roadway. If visible from a roadway, inoperative hydrants shall not be colored yellow or red or any combination of these colors.

## **SECTION IV ..... WATER SERVICE CONNECTION POLICY**

### **Introduction of Water to Premises**

No person shall introduce water into any premises from the town water system, or install a corporation stop or fixture on any service connection or turn on water into any premises without authorization of the Town Manager or his/her designee and under the direct supervision of the water department. No person, except an authorized town employee shall install any fitting or operate any valve to introduce water into any premises.

### **Service Connection Pipe**

No person shall be permitted to install a corporation stop, to tap a water main or line, or to otherwise make any connection except as authorized by the Town Manager or his/her designee, and shall do so only under the direct supervision of the water department. The size of the water service connection pipe shall be determined by the water department, but in no case shall the pipe be less than one half (1/2) inch inside diameter.

### **New Connections; Application and Fee**

Any person desiring to connect his/her premises to the town water system shall make application to the Town Water Department. The applicant shall include their name, photo ID social security number, mailing address, service address for which water service is desired, and phone number.

Application must be made in person at the Town Hall and must include the proper application fee and deposits, connection charges, and other charges and fees as applicable, as well as any plans, specifications or other pertinent information as required in Section IX of this document. A signed "User Agreement" shall also be required by the Town for water service.

All other provisions of this section notwithstanding; it shall be within the powers of the Town Manager or his/her designee to negotiate terms for payment of connection charges by an applicant for water services to customers other than commercial establishments and single family residential units. Any such agreement to extend periods for payment of established fees, including, such interest charges as may be negotiated, shall be approved by the Town Manager before being executed by the Town.

The water service connection shall be installed by the Town Water Department and shall include: corporation stop, water main tap, service connection pipe to the meter box, a meter box, water meter setting, water meter and a service pigtail. All service connection pipes on private property shall be provided and installed by the applicant. The customer shall connect the structure service line to the pigtail and shall be responsible for the operation of the entire service line from the meter setting device.

All water meter connections shall be made and used within three (3) months of the date of application unless prior arrangements have been made with the Town.

All service connections will be made by the Town within fourteen (14) days of the date of application for water service as filed by the customer, barring unforeseen and unavoidable circumstances which are beyond the control of the Town.

## **Interconnection of Private Water System to the Town System**

The interconnection of a private water supply system to the Town system shall be prohibited. Private well and other supply sources shall be physically disconnected from building plumbing systems before Town water may be supplied to the premises. The Town reserves the right to monitor compliance with this regulation through a system of random inspections.

## **Separate Service Required for Each Use**

A separate and independent water service line and meter shall be provided for each residential building, commercial and industrial user. Each water service line shall be metered by the water department with the exception of mobile home parks, apartments or other multiple users.

## **Multiple Users**

The Town of Gate City has provided the following options to owners of multi-unit apartment complexes, commercial buildings and mobile home parks:

1. **Master Meter/Owner Responsible**: a master meter may be installed to serve four (4) or more residential units located in an apartment building or mobile home park. In the case of multiple users in a building or mobile home park, industrial or commercial building, the landowner/landlord shall be responsible for the payment of the water/sewer/ refuse bill. There shall be a minimum monthly charge for water service plus one hundred percent (100%) charge for sewage per site/unit. Surcharges shall be imposed for all water used in excess of the minimum amount of water allowed.
2. **Individual Meter**: a property owner may elect to install a separate service line to individually meter each unit in his residential, commercial or industrial building. (See Billing Procedures for more details.)

## **Master Meter Sizes**

A master meter serving from four (4) to ten (10) residential units in an apartment building, mobile home park, or commercial/industrial building shall be installed on no less than a one (1) inch meter. For master meters serving more than ten (10) units, the meter shall be sized to accommodate the customers' probable maximum demand. The probable maximum demand shall be supplied by the applicants' estimate of the master meter size requirement. The Town Manager or his/her designee must review and approve the applicants master meter size. The service line to a master meter shall in no case be smaller than the master meter. Water service for a given site/unit by a master meter shall be used on that site/unit only.

Meters for commercial and industrial users shall be determined according to customers' probable maximum demand. The customers' probable maximum demand shall be supplied to the Town by the applicant and the determination of the meter size required will be made by the Town Water Department.



## **SECTION V..... WATER CHARGES**

Charges for water service shall begin when the appropriate connection fees are paid and the meter is set, whether used or not. Charges shall be discontinued when the meter is removed or turned off. A reconnection fee shall be charged to the customer when water service is again requested. (See Schedule of Fees and Charges).

When more than one (1) meter is required for the same user or installed at the customer's request, the bill for each meter shall be computed separately and billed individually to the owner.

Charges for water service shall include a minimum charge in accordance with the approved Schedule of Fees and Charges in Section IX of this document. A specified quantity of water will be allowed at the minimum charge. The balance of the charge shall be based on the volume of water passing through and registering on the customer's meter. The bill shall include a charge for sewer services in an amount of One Hundred (100%) percent of the total bill for water service and a charge for refuse collection. Said sewer charges have been approved and authorized by the Gate City Sanitation Authority.

### **Multiple Hook-Ups on one (1) meter**

- The landlord or the user of record on the User Agreement for a multiple hook-up on one (1) meter shall be responsible for the payment of the entire bill. There shall be an additional charge in the amount of \$10.00 per billing cycle for each additional user being served on the meter

Surcharges will be imposed for all water used in excess of the minimum amount of water allowed as provided for in Section XIV, Schedule of Fees and Charges. The sewer charge shall be based on one hundred per cent (100%) of the total amount of water used.

It is required that the landlord or the user of record keep the Town informed of the number of users in their building since the bill will be based in part on the actual number of users. The Town reserves the right to monitor compliance with this requirement. The landlord or user of record shall then be responsible for payment of the entire bill for water/sewer services to the Town.

### **Reading Meters**

In order to facilitate the rendering of bills for water consumption, the Town Manager shall cause each water meter installed on service connections to be read and inspected during each billing period, except that consumption may be estimated when access to the meter cannot be obtained. The Town reserves the right to vary the lengths and dates of the billing periods covered, on a temporary or permanent basis, if necessary or desirable.

### **All Water Chargeable and Exception**

All water passing through and being recorded on a water meter shall be charged to the user of record, from the time the meter is set, until it is removed on written notice of the user, whether the water is used or wasted.

## **Exception**

When a leak is discovered, the owner, agent, or tenant will take immediate and prompt action to repair the leak. If the leak is between the meter and the house and is repaired within 30 days of the billing of the leak, a water billing abatement shall be allowed to reduce the current bill to an amount equal to the average of the current bill and the two previous bills. No more than one adjustment to be made within a twelve (12) month period. If the leak is not repaired within the 30 day time period, the Town will reserve the right to not approve the water billing abatement. In an effort to protect the Town's water source, the Town will also reserve the right to terminate water service until leak issues are repaired.

Any appeal will be taken to the Town Council at the regularly scheduled meeting. In the case of a new service account with no prior history, adjustments will be made by reducing the current water bill to fifty (50) percent, or to the sum of a minimum bill whichever is greater.

When the Town Water Department has reason to suspect that a customer has a water leak, the Department shall make reasonable effort to notify the customer.

## **User Billings**

The Town of Gate City shall mail all statements, notices and bills through the U.S. Post Office to the last address supplied to the Town by the customer. Bills for water charges will be prepared in accordance with the Town's established rate system which includes a minimum monthly charge and for the volume of water recorded on the customer's water meter.

Failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the customer from paying.

All bills are due upon close of business on the eighteenth (18) day of each month. If the eighteenth falls upon a weekend or a holiday the due date will be postponed until the close of the following business work day.

## **Payment of Utility Bills**

Water service bills shall be payable immediately upon receipt by the customer, however, failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the customer from payment. Bills shall be paid at the Town Hall or by mail to the Town Hall's address for the total amount due for water, sewer and refuse collection services, as well as any penalty and interest which may be due.

Payment of all deposits, installation charges, partial payments, refunds, overpayments and other transactions shall be made at the Town Hall unless prior arrangements have been made and approved by the Town Manager.

Any user who vacates a premise without paying for water/sewer services shall not have Town utility services made available to him/her until the total amount due has been paid in full. A charge shall be made for each meter connection to the system for nonpayment of bills, and other charges of occupancy within the Town. Water services will only be restored after all fees and charges have been paid, and the water meter shall be reconnected only during regular working

hours of the Town Water Department except in situations when the water disconnect may have been made in error.

### **Suspension of Service**

No service shall be disconnected when the temperature falls and remains below 32 degrees F. Any bill in arrears at the time the temperature rises above 32 degrees F shall then be subject to disconnect.

The Town of Gate City reserves the right to discontinue its service without notice for the following reasons:

1. To prevent fraud or abuse.
2. Customers' willful disregard of the Town's rules.
3. Emergency repairs.
4. Insufficient supply due to circumstances beyond the Town's control.
5. Legal Process.
6. Direction of Public Authorities.
7. Strike, riot, flood, accident, Act of God, or any unavoidable cause.

## **SECTION VI..... OVERDUE BILLS AND DISCONNECTION OF SERVICE**

A water bill that are not paid by the due date will incur a penalty charge of ten (10%) percent of the total bill and an interest charge of two (2%) percent per month. Refer to Section V for additional information concerning billings.

Except as otherwise provided, any bill which remains unpaid after the eighteenth (18) day of the month shall be deemed delinquent. Any account 10 days past due is subject to termination. To reinstate the account; an updated user agreement must be on file; the total account balance paid; the required deposit on file; along with the required service charge to reactivate the meter and/or cover all administrative costs associated with the termination process.

Should a delinquent user decide to leave the system, said delinquent account shall remain in effect until payment, penalty, interest and any reconnect fee have been paid in full. Should a water user have a delinquent account, the use of applying liens on the property of said delinquent account, the use of applying liens on the property of said delinquent user may be advised. The collection of delinquent accounts will be sent to the Virginia Debt Set Off Program or will be referred to the Town Attorney.

### **Bad Checks**

If any check, draft or order for payment of money due the Town for any services not paid by the bank or other depository on which it was drawn, ordered or made because of “no account” or “insufficient funds,” the person by whom such instrument had been tendered, and in addition to other remedies for nonpayment available to the Town, shall be subject to a penalty of thirty (\$30.00) dollars to defray the cost of processing the refused or returned instrument; provided however, if such instrument be not paid because of insufficient funds the aforesaid penalty shall be imposed only after the drawer or maker of such instrument fails to deliver payment of the amount owed, or produce evidence of bank error, within five days of receipt by the drawer or maker, or written notice by the Town of nonpayment of instrument due to insufficient funds. The foregoing notice shall be sent to the drawer or maker by U.S. mail, or hand delivered by a duly certified agent of the Town, to his/her last known address as indicated by the Town’s records, or on the address shown on the instrument should said instrument have a printed address which differs from the address shown on the Town’s records. Said notice shall be deemed sufficient notice whether or not such notice was returned as undeliverable.

### **Customer needing to stop service**

When the customer is about to move, he/she shall give a least three (3) days prior notice thereof that utility service is to be discontinued. If said customer fails to give proper notice that utility service is to be stopped, he/she shall remain liable for all water charges and fees accruing against the account of the premises until the service is stopped.

## **Delinquent Accounts**

If, after the expiration of thirty (30) days beyond the date on which the initial statement is billed to the customer, the bill has not been paid in full, and/or the customer has failed to exercise his/her option of filing a "Disputed Claim Form," water service will be terminated by the Town... after the delivery of the required "second notice" as prescribed in this section. Termination is defined as the termination of water being introduced into the business or residence and/or termination in the Town's computerized billing system.

## **Partial Payments**

Partial payments on delinquent accounts will be accepted by the Town only under the following conditions:

1. The first partial payment shall be a sum of equal to at least fifty (50%) percent of the entire delinquent amount, including water, sewer and refuse collection. No lesser amount will be accepted as the first partial payment.
2. The remaining balance shall be paid in no less than three (3) partial payments payable over the next three (3) months following the first partial payment. These partial payments shall be made in addition to all regular monthly service charges which are incurred during the partial payment period.
3. Partial payments shall be accepted only after the execution of a "Partial Payment Agreement" which shall be signed by the customer and the Town Manager (or his designee) and notarized by a Notary Public.
4. Failure to abide by the terms of the Partial Payment Agreement or the prescribed partial payment schedule shall result in the immediate termination of water service. In the event of termination of water service for failure to abide by the terms of the Partial Payment Agreement, water service shall only be restored if the following has been completed; an updated user agreement must be on file; the total account balance paid; the required deposit on file; along with the required service charge to reactive the meter.
5. Any and all accounts which are still delinquent for 60 days after the termination of service shall be sent to the Virginia Debt Set Off Program or will be referred to the Town Attorney for collection.

## **SECTION VII..... DISPUTED WATER BILLS**

If the customer disagrees with a bill, the customer shall have the option of filing a “disputed claim” on a form provided by the Town at the Town Hall, by the eighteenth (18th) day of the month after the date of issuance of the bill. Said “Disputed Claim” form shall state the name of the claimant, his/her account number, and shall state specifically the basis of the disputed claim. The form shall be signed by the claimant and countersigned by the Town Manager or his designee. The form shall be dated as of the date of receipt by the Town and filed in the Town Hall. A copy of said form shall be provided to the customer by the Town if requested.

### **Disputed Claims and Grievance Procedure**

Upon receipt of the Disputed Claim Form as provided for herein, the Town Manager or his designee shall attempt to resolve disputes with the Claimant and make appropriate adjustments or credits as provided in Section V of this Policy. The date, time and place of the informal conference shall be noted in the appropriate place on the Claim Form as provided by the Town. The designated personnel shall hear the claimant’s claim and shall show the disposition of the claim on the form provided by the Town. Claimant may be represented by any person of his choosing at said informal hearing.

If the claimant is unsatisfied with the disposition of the claim by the employees of the Town, then claimant shall have a period of five (5) days in which to file an appeal to the Town Council. Said appeal shall be noted in the appropriate place on the Disputed Claim Form, and the claimant shall be advised of the date, time and place of the next regular meeting of the Council and will be provided opportunity to appear at said meeting. Said information shall be noted on the Disputed Claim Form and a copy provided to the claimant and to each member of the Council.

### **Disputed Claim Settlement**

The Disputed Claim shall be heard by the Gate City Town Council at their regular monthly meeting, or at any other time so designated by the Council. A quorum of the regular membership shall be required to conduct business on a disputed claim. Claimant may be represented at the hearing before the Council by any person of his choosing. The council shall reserve the right to make appropriate adjustments and/or any other action in such hearings which are not inconsistent with the guidelines established in this policy.

After hearing the disputed claim, the Council shall rule on the dispute and shall direct the Town Manager to state on the Disputed Claim Form the reason for the action and decision of the Council. The Decision of the Council and the reasons therefore shall be reduced to writing on the Disputed Claim Form and signed by the Town Manager. All decisions shall be consistent with the rules and regulations of the Town of Gate City and shall be final.

The Claimant shall have a period of two (2) working days from the date of the decision of the council to pay any outstanding water/sewer/refuse bill remaining, if any, or water/sewer services to the customer will be terminated.

No water/sewer service shall be terminated as a result of disputed bills until the statement or bill in question has been adjusted, settled or denied by the council, or until the customer fails to meet the requirements of these Rules and Regulations as set forth herein.

## **SECTION VIII... WATER SYSTEM EXTENSIONS**

### **General**

If any person desired to extend water service to any premises where service is not currently available, he shall be permitted to do so in accordance with the Town's standards, State Laws, and the standards of this Chapter, provided that adequate system capacity is available to serve the needs of the proposed development. The developer will provide adequate capacity at his expense. The proposed installation should be practical from both the engineering and economic standpoint and shall be in accordance with the Town's standards.

An application for such a new system or extension shall be made in writing; shall state the number of connections to be served; and shall be accompanied by drawings showing the location, size, materials, and extent of the proposed water system, including appurtenances, together with such other pertinent information as the Town may require; and shall show in sufficient detail the manner in which the applicant proposes to meet the standards set forth by the Town.

Plans and specifications for such extensions shall be furnished to the Town for approval not less than sixty days prior to the proposed date for the beginning of construction. Extensions shall be constructed by the owner/developer at no cost to the Town; upon completion and acceptance of the new construction, the water lines, laterals, service connections, meters, pump stations, and all appurtenances shall be conveyed to and become wholly owned and operated by the Town of Gate City, excluding the internal water distribution facilities within mobile home parks, commercial and industrial complexes and similar uses.

The Town will have a copy of these Rules and Regulations and the Town's Construction Specifications and Standards available to view at the Town Hall.

At such time as the developer or any subsequent owner of any lot or premises within the development initially applies for water service, the applicant shall pay the Town the required connection charges specified in this document and named "Schedule of Fees and Charges."

### **Development within 5, 000 Feet of Town Water Lines**

When any development is proposed to be located within 5,000 feet, measured in a straight line, from a Town owned water line of sufficient capacity to serve the needs of the proposed development, the developer shall design and construct at his expense a public water distribution system to serve said development, and shall design and construct at his expense a water main to meet with and connect with the Town's water line and connect to his property. He shall also pay the Town a connection charge as specified in the "Schedule of Fees and Charges." Upon completion and acceptance of the system by the Town, as per the requirements of this document, it shall become the property of the Town.

### **Development beyond 5,000 Feet of the Town Water Lines**

When any development is proposed to be located more than 5,000 feet measured in a straight line, from a Town owned water line of sufficient capacity to serve the needs of the proposed development and adjacent areas, the developer shall be required to design and construct at his expense, a public water distribution system to serve the needs of his development, and shall design and install at his expense a water line to meet with and connect to the Town's system. This

water main, which shall connect with the Town's system, must be approved by the Town prior to the beginning of the construction. All engineering plans and designs work must be submitted to the Town along with the required approval and certification from the State Department of Health, at least sixty (60) days prior to the start of construction.

### **Contract Required**

After the Town has approved the plans and specifications of the extension, and before commencement of construction of any water system or extension, alteration or enlargement of any existing water system to serve additional development, the owner of the system shall enter into a contract with the Town setting forth the terms and conditions under which the construction shall be performed and the system conveyed to the Town for operation and maintenance. All construction costs will be incurred by the developer. These provisions shall both apply to the internal distribution systems serving mobile home parks, industrial, commercial facilities or similar uses. Also, where the project or any part thereof is to be installed on private property or on a private street, the owner(s) thereof shall provide free of cost to the Town, an easement and a free, unobstructed and uninterrupted right of way for inspection, operation, maintenance, enlargement, replacement, alteration, and extension of the proposed system.

### **Indemnification**

The applicant will be responsible for all damages, loss or injury to persons or property that may arise or be incurred during the progress of the work incident to said project without regard to whether or not the applicant, his agents, employees, or contractor have been negligent, and that the Town shall be by the applicant held and kept free and discharged of and from any and all responsibility and liability of any kind; that the applicant shall assume all responsibility and liability of any kind; that the applicant shall make good any damages that may occur in consequence of the work or any part thereof, and shall assume all blame, loss and responsibility of whatever nature by reason of neglect or violation of any Federal, State, County or Town laws or ordinance.

### **Performance Bond Required**

Any person proposing or required by this document to install a water system line or any extension thereof shall prepare a cost estimate of the proposed water system which is subject to the review of the Town. Upon approval by the Town, the owner of the proposed system/extension shall cause to be issued in the name of the Town of Gate City, a cash escrow, or other such guarantee of performance as required by the Town, in an amount and form acceptable to the Town Council. Within sixty (60) days of acceptance of the system/extension by the Town, such guarantee of performance or the unexpended or un-obligated portion thereof, shall be refunded or terminated as the case may be. The provisions of this section shall not apply to construction of an internal distribution system serving mobile home parks, industrial, commercial complexes, apartment complexes and similar uses.

### **Insurance**

The applicant shall not commence work on the project until he has obtained all insurance required under this section and as required by state laws as a minimum, and such insurance has been approved in writing by the Town and the applicant shall not allow any contractor or



subcontractor to commence work on the project until all similar insurances have been obtained and approved.

As a minimum, each contractor and subcontractor shall obtain the following insurance:

Workman's Compensation Insurance-for all employees employed at the site of the project.

Public Liability Insurance- during the life of the project and contract agreement in an amount not less than \$150,000.00 for injuries, including wrongful death, to any one person and subject to the same limit for each person, in an amount not less than \$500,000.00 on account of any one person.

Property Damage Insurance- in an amount not less than \$50,000.00 for damages on account of any one accident and in an amount not less than \$250,000.00 on account of all accidents.

### **Inspection - Construction**

The Town Manager and/or Public Works Foreman, along with the Town Engineer shall inspect all new construction of water systems and extensions. The construction work shall be subject to inspection by the Town or its designated representative at any time as the work progresses. Notice shall be given to permit inspection of construction as well as witnessing of acceptance tests and flushing operations. The owner of the system shall notify the Town Manager at least 48 hours before beginning work and when the work is ready for final inspection.

### **As-Built Plans**

After completion of the public utility facilities from approved plans or any project herein before described and classified in the following sections the owner or owners shall be based on accurate, field obtained information, to show the actual conditions of the finished construction. The as-built plans the actual conditions of the finished construction. The as-built plans shall be revisions in the permanently indicated changes on the original tracings or master sheets from which were made the plans and/or specifications as approved by the Town for construction.

The as-built plans shall show, but may not be limited to the following:

#### **Water Line Construction**

1. For water lines, scale, accuracy, location of all lines, valves, hydrants, service connections, tanks and pump station as determined after construction.
2. Scale, accuracy, location of other utilities discovered during construction which were not shown on the original plans.

#### **Water Treatment Plants, Pump Station and all other Comparable Construction and Building Structures**

1. As-built plans and specifications shall accurately indicate all approved deviations from or changes in location or type of equipment installed and materials used.
2. Accurate listings of the name of all manufacturers of all operating equipment installed, together with model or style numbers, ratings, capacities and other pertinent information shall be provided as part of the as-built plans on the project.

3. At least three (3) sets of shop drawings and operation and maintenance manuals of all operating equipment and all certification of inspection, approvals, warranties and guarantees of equipment, materials and installation thereof, required by the project specifications which were approved by the Town, shall be provided as a part of the as-built plans on the project.

### **Completion**

After completion of all construction, including testing, disinfection, clean-up and acceptance of the work as conforming to the requirements of the Town, the owner of the system shall pay any inspection fees outstanding and shall notify the Town Manager in writing of the completion of the construction work.

### **Inspection - Final**

At the completion of any project of public utility construction herein before classified in this document, the developer or owner responsible for the construction shall notify the Town in writing that the work has been completed. Together with the notification of completion, there shall be submitted to the Town all as-built plans, specifications and other such data and addenda relative thereto which is required and has hereinbefore described in previous sections.

Upon receipt of the notifications and as-built requirements, the Town will make a final inspection of the constructed facilities, examining in detail for conformance of the work with approved plans and specifications, alignment of water lines, leakage, workmanship, operation of equipment, and other facilities to the satisfaction and best interest of the Town.

It shall be required that a responsible representative of the developer or owner accompany the Town or its agent on the final inspection. The developer or owner shall furnish whatever labor and equipment that is necessary for conducting the final inspection. It shall be the developer or owners responsibility to pay for and provide the normal services and manuals required to instruct the Town's employees in the proper use of any equipment installed by the owner. These instructions shall be from a qualified representative of the manufacturer.

Deficiencies which are found to exist during the inspection will be pointed out in writing to the owner and/or developer in the form of a written summary. This written list of deficiencies shall also include a list of corrective measures which will be required. Another inspection to check to see if these deficiencies have been corrected will be required after a reasonable amount of time before final acceptance is granted.

### **Acceptance of New Construction**

The Town shall accept newly constructed water service facilities upon satisfaction of the following conditions:

1. That all the foregoing requirements have been fulfilled in the opinion of the Town,
2. That all matters relative to specific contracts between the owner or developer and the Town are in order,
3. That payment has been made by the developer or owner for all fees relative to application and inspection,

4. That an explicit understanding exists between the developer or owner and the Town that the developer or owner shall be responsible for and obligated to correct all deficiencies in construction for a period of one (1) year from the date of acceptance by the Town. (Note: these include labor, materials, workmanship and equipment.) These requirements shall be stipulated in the written form of acceptance issued by the Town.

If the Town can reasonably determine that immediate acceptance of the new construction is not in the best interest of the Town and its present water customers, acceptance may be restricted for a period of one (1) year. At that time a review shall be conducted to consider acceptance. Acceptance may begin at that time of found acceptable or postponed for another period of time.

Acceptance of the newly constructed facilities, when approved by the Town, shall be made in writing to the developer or owner responsible for the construction.

The issuance of the written form of acceptance of any such facilities shall constitute an irrevocable agreement between the owner or developer responsible for construction and the Town. Any of their officers, agents, servants, and employees shall be saved and held harmless by the owner or developer from liability and responsibility of any nature and kind for cost of, or payments on labor, equipment or materials used in construction of accepted facilities or on account of any patented inventions, process or article or appliance manufactured for or used in the construction of, or for the intended operation of the accepted facilities.

#### **Extension of Water Distribution System by the Town**

Nothing contained herein shall be construed as limiting or preventing the Town of Gate City from extending its water distribution system whenever and wherever it may determine that circumstances may warrant.

## **SECTION IX ..... WATER SERVICE APPLICATION REQUIRING EXTENSION OF EXISTING LINES**

The Town will accept, review, and render decisions on applications for water service to the premises described in the application in writing from any person, group of persons, firms, corporations, or associations, who are owners of or legally represent the owners of land or who are tenants of land within the Town service area.

The Town reserves the right to approve, revise, request additional data, or to disapprove any such application or plans pertinent thereto which, in the opinion of the Town, is to be in the best interest of the Town.

Application shall be made in writing and shall be accompanied by all required fees, agreements, permits and deposits.

All residential, commercial and industrial users shall be required to enter into an agreement with the Town before water service is provided to the premises. The users agreement contains, as a minimum, the agreement that user agrees to comply and be bound by the Town's articles, by-laws, rules and regulations.

Each person, firm of corporation making application for water service shall be required to deposit a fee with said application. Said sum shall be retained until the application is either accepted or rejected. If the application is not accepted within five (5) days of the date of submission the deposit will be refunded. The deposit shall be retained upon acceptance of the application and applied toward the meter fee and deposit by the Town until such time as the applicant ceases to use water service and has complied with all rules of the town.

### **Application for Residential or Commercial Purposes-Adjacent to Service Area**

Application for water service for existing or proposed new individual or multiple dwellings or existing commercial establishments to which the Town's service facilities are immediately adjacent and available shall be made to the Town. Each written application shall be accompanied measurements, maps, drawings and/or other such data that will clearly establish and indicate the physical location within the service area of the location of the premises of the service or services applied for.

### **Application for Residential or Commercial Purposes - Not Adjacent to Service Area**

When water service is desired for any individual building or group of buildings, whether intended for use as residential or commercial purposes and which are not classified as being the development of a new subdivision, or section thereof, and which will require the design and construction by the owner of a new trunk, lateral or principal line and any appurtenances thereto in order to reach and connect onto applicable existing facilities of the Town and when such new construction in its entirety shall ultimately be accepted as an integral part of the facilities of the Town, application shall be made in writing to the Town.

Such application stipulated above, shall be accompanied by four (4) sets of detailed plans showing location, design, and identification of all appurtenances and accessories pertinent thereto. It is preferable that such plans show on the same sheet, the plan and profile design of the contiguous section of street, easements and proposed water line(s) as is indicated in the application. The plans

should show all houses, buildings, streets, sidewalks, curbs, gutters and all existing utilities in the area.

The application shall show the location and size of the area to be served and shall state in detail the number, nature, and location of all connections to be served. The application shall include such other pertinent information as the Town may require and shall indicate in full detail the manner in which the applicant proposes to meet the Town's standards.

The design and detailed plans stipulated above, and all subsequent revisions thereof, shall be properly prepared and signed by a Virginia Registered Engineer.

### **Application for New Residential Subdivision or Commercial Area**

Where construction of water facilities is proposed by a developer or owner of any new residential subdivision or commercial area or any combination thereof and which facilities shall ultimately be accepted into the service area of the Town as a part of the public utility system of the Town, application for review of the design and plan for all such proposed construction shall be made in writing to the Town.

Such application stipulated above shall be accompanied by:

- a. four (4) prints of the plat of the subdivision or applicable development thereof,
- b. four (4) sets of detailed plans showing accurate plan and profile design drawings, the proposed lines, the location design and indication of all their appurtenances and accessories and signed by a Virginia Registered Engineer. It is preferable that such plans show, on the same sheet, the street and easements of the proposed water facilities,
- c. if any facilities other than pipe lines and their appurtenances are proposed by the applicant or required by the Town for the complete and satisfactory operation of the proposed utilities and like equipment, the application shall be accompanied by four (4) sets of detailed plans and specifications which are signed by a Virginia Registered Engineer. The application shall include such other pertinent information as the Town may require and shall indicate in full detail the manner in which the applicant proposes to meet the Town's standards.

### **Application for Industrial Establishments**

Application for proposed water facilities to serve any type of industrial establishment within the Town service area shall be made in writing to the Town. Complete information regarding the plant location, type of industry, raw materials and finished products, approximate volume of water requirements, type of industrial wastes to be discharges, proposed facilities for pre-treatment of industrial wastes, and other data pertinent to the industry shall accompany the application.

The application for water service to serve industrial establishments shall conform to the requirements set forth in the preceding sections. Any design, plans and specifications, required for this type of service, and all subsequent revisions thereof shall be properly signed by a Registered Virginia Engineer.

## **Disposition of Application**

Upon receipt of an application as prescribed in the preceding sections the Town will review all data, design, plans and/or specifications and deletions as may be considered necessary in order that the proposed construction shall conform to the standards and best interest of the Town. One (1) marked set of the submitted plans and/or specifications will be returned to the applicant. The Town will have the right to reject or disallow any materials or equipment deemed as being undesirable.

After receiving the returned set of plans and/or specifications, the applicant shall prepare revised plans and/or specifications to conform to such revisions as the Town may require and must submit four (4) sets of revised plans, which have been properly signed by a Virginia Registered Engineer, to the Town for review.

Upon receipt of the revised plans and/or specifications, the Town will check them for conformity with the marked revisions. If satisfactory, one (1) of the revised sets of plans and/or specifications will be returned to the applicant with written approval for construction.

Construction of any public utility facility within the jurisdictional area of the Town, and all of their appurtenance and accessories, shall be in strict conformance with the final approved set of plans and/or specifications stipulated in the paragraph above.

In the event that an applicant desires to deviate from the plans and/or specifications which have been approved by the Town for construction or to make any changes or revisions therein, the applicant shall make such request to the Town in writing and state the reasons for the request. Revised plans, specifications and other data shall accompany the request in such a manner, form and quantity as was required for the original application.

The procedure for all parties concerned for processing any such request for deviation from, or changes and revisions in the initially approved plans and/or specifications for construction shall be the same as stipulated for the original application.

## **SECTION X..... EXCAVATION AND UTILITY LINE INSTALLATION**

### **General**

The purpose of this section is for use in the effective prevention of construction related accidents in and/or from utility line disruptions.

### **Goals and Objectives**

This section is enacted in order to:

1. facilitate the protection of persons and property from death or injury which may result from the destruction of, disruption of, or damages to underground utility lines during excavation and/or demolition,
2. protect the health, safety and welfare of the community by preventing the interruption of essential resulting from the destruction of, disruption of, or damage to underground utility lines during excavation and/or demolition.

### **Demolition or Excavation: Prior Notice**

- A) Contractors shall notify all operators who maintain underground utility lines in the area of proposed excavation or blasting at least two (2) working days, not more than ten (10) working days prior to commencement of said excavation or demolition. This notification shall consist, at least, of the following:
  1. The Contractor's name and telephone number
  2. The number of person(s) for whom the proposed work is being done
  3. The date and approximate time that work is to commence
  4. The location and approximate depth of the proposed work
  5. The nature of the work to be done
  6. The Contractor's field representative or field contact, if any
  7. Any special remarks.
- B) The telephone number(s) to be utilized for serving notice to operators as in regards to (A) above shall be located at least on the approved site plan or engineering plan which is to be at the site during excavation or demolition.
- C) It shall be unlawful for any contractor to commence excavation or demolition on any property without first receiving clearance from each operator.

### **Performance Requirements for Demolition of Excavation**

- A) Verification that rough grading is to within six (6) inches of finished grade must be provided to the operator in writing by the contractor or property owner before such operator shall commence excavation for the installation of his utility lines.
- B) When excavation approaches the estimated location of any existing utility lines, which shall have been previously located horizontally, the exact location of such utility lines must be determined by adequately exposing same by hand digging within the proposed

limits of excavation before excavation may resume. To prevent damage to such exposed existing utility lines and the protective coating thereof, proper supports shall be provided where required.

- C) Any contractor performing excavation or demolition is required to have approved site plans or engineering plans indicating the plan view of all known existing and proposed utility lines (with excavation of house service laterals) at the site during excavation or demolition.
- D) Any person who is designated to operate mechanized equipment for the purpose of excavation or demolition shall not perform such excavation or demolition until he has examined the plan(s) as provided in (C) above.
- E) The act of obtaining information as regards by this section shall not excuse any person making any excavation or demolition from doing so in a careful and prudent manner, nor shall it excuse such person from liability for any damage resulting from his negligence.
- F) The contractor shall be knowledgeable and shall conduct his work according to the Underground Utility Damage Prevention Act of the Code of Virginia as amended.
- G) Any taps performed on Town water lines shall be wet taps to prevent trauma and shock to the lines. Any and all such wet taps must be made after at least two (2) working days notice to the Town Water Department and with a representative of the Department present during the tap.

### **Contractor: Powers, Duties and Responsibility**

- A) Communication between the job site and the contractor's base office shall be maintained at all times through the use of two-way radio system or some other mean.
- B) When any person damages a utility line, or the protective covering thereof or accidentally exposes or severs a utility line during excavation or demolition, an Emergency\_condition shall be deemed to exist and the operator of such utility line shall be directly notified immediately.
- C) The telephone numbers to be utilized in serving emergency condition notices as required above shall be located at least on the approved site plant or engineering plan which is to be at the site during excavation or demolition.
- D) It shall be unlawful to backfill around a damaged utility line, as described above until the operator of said utility line has been notified of such incident and has repaired the damage and/or has been given clearance to backfill in writing.

### **Schedule of the Types of Connections**

The following schedule reviews the various types of connections that apply to the connection of applicants premises to the public water utility system.

Types of Connections:

1. Single-Family Residence
2. Multi-Family Residences



3. Hotel or Motel
4. Mobile Home Park
5. Commercial
6. Industrial.

### **Scheduled Billing**

For new service applied for at least ten (10) days before scheduled reading date, the bill will be generated on current billing cycle. For all others, billing will be postponed until the following month to include total usage from original read date.

## **SECTION XII..... PENALTIES**

### **Notice to be Served**

Any person found to be in violation of any provision of these rules and regulations shall be served by the Department with written notice stating the nature of violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

### **Penalty**

Any person who shall continue any violation beyond the time limit provided for in this section shall be guilty of a misdemeanor and, upon conviction thereof, may be fined in an amount not less than \$100.00 nor more than \$3,000.00, or by imprisonment in jail for not more than thirty (30) days, or both for each offense. Each day in which any such violation shall continue shall be deemed as a separate offense.

### **Defacing or Destroying Town Utility Property**

Any person defacing or destroying Town Utility property shall be held liable for repair and/or replacement. No person shall place any building material, rubbish or any other matter on the curb stop or valve of a water main or service connection; or obstruct access to any fixture connected with the Town's utilities, or remove or damage any pipe, fire hydrant, meter box, valve or any appurtenance so as to obstruct the flow of water or wastewater. The owner of the premises shall be responsible for any unauthorized or illegal use of the owner's service connection.

### **Tampering With Equipment**

No person shall be permitted to tamper with any valves, hydrants, pumps, reservoirs, manholes, meters, or any piece of equipment of the Town's water and sewer systems wherever situated. The Town may, in addition to prosecution by law, permanently refuse service to any customer who tampers with a meter or other measuring device. No person shall be permitted to enter any pump station of facility without permission of the Town Manager.

### **Town Not Liable for Damages**

No person shall be entitled to damages, or to have any portion of a payment refunded, for any stoppage of the supply of water occasioned by choking or accident to the water supply service pipe or meter, or for the purpose of extension or repairs to the water system, or for damages arising out of routine maintenance of water lines or arising out of the Department's right of access to utility easements. The Town Manager shall provide advance notification to affected utility system customers whenever possible, but shall have the right to shut off the supply of water whenever necessary to make repairs or extensions to pipes and meters. This notice shall be considered as a courtesy rather than a requirement. Therefore, the owner's or customer's buildings must have internal fittings, facilities and/or plumbing which will not be damaged if water mains are shut off without notice.

### **Unauthorized Taps**

No person shall be permitted to cut into a Town water main without written authorization of the Town Manager or his/her designee. No person shall be permitted to connect unless he/she has a valid connection permit signed by the Town Manager or his/her designee.

### **Liability**

Any person violating any provision of these Rules and Regulations shall become liable to the Department for any expense, loss or damage occasioned the Department by reason of such violation.

#### **Obstructing Access to Meter**

1st Offense \$35      2nd Offense \$50

\*Any subsequent offenses will require legal action.

#### **Unauthorized Use of Water Access**

1st Offense \$100      2nd Offense \$200

\*Any subsequent offenses will require legal action.

#### **Defacing or Destroying Utility Property**

\$250 Fine in addition to cost of replacement.

## **SECTION XIII... CONFLICTING REGULATIONS REPEALED**

All regulations or parts of this document in conflict herewith are hereby repealed.

### **Validity**

If any section, subsection, sentence, clause or phase of these Rules and Regulations is, for any reason, held to be invalid, such decision shall not affect the validity of any other part of these Rules and Regulations which can be given effect without such invalid part of parts.

No statement nor regulations contained in this publication shall be construed to interfere with any additional requirement which may be imposed by the Commonwealth of Virginia, Virginia Department of Health or the State Water Control Board.

In the event of a discrepancy between these Rules and Regulations and specifications listed in this document, and applicable rules, regulations, and specifications of the State Department of Health and/or the State Water Control Board, it shall be understood that any such rules, regulations and specifications of said State Agencies shall prevail insofar as the Public Water Supply and the Sanitary Sewerage Facilities within the jurisdictional areas are concerned.

## **SECTION XIV ... SCHEDULE OF FEES AND CHARGES**

### **Tap Fees**

Residential Water (3/4") .....	*\$650.00
Commercial Water (2").....	*\$2,500.00
Residential Sewer .....	**\$900.00

\*Prices listed, \$650.00 Residential 3/4" and \$2,500.00 Commercial 2", will be the minimum fee. More expenses could be incurred dependent on the price of the meter, other equipment and supplies. A final total will be submitted to property owner based on total materials and labor via invoice.

\*\*Price listed, \$900.00 Residential, will be the minimum fee. More expenses could be incurred dependent on the price of the other equipment and supplies. A final total will be submitted to property owner based on total materials, as shown via invoice.

\*Road Bore a minimum of \$750.00 depending on work required plus any permit fees related to road bore.

### **Due upon Connection**

Service Charge* .....	\$50.00
Deposit** (Required for either renter or property owner).....	\$150.00

\* Active utility customers in good standing on account that will be transferring service to another location will not be required to pay meter fee or deposit.

\*\* In the event service is interrupted and a user in good standing is forced to relocate because of repossession or premises, fire, flood or other catastrophic act of nature, said user shall not be required to pay the deposit and/or meter fee provided that relocation takes place within a one (1) year period.

\*\*\* The water bill may never exceed the deposit amount or the water will be disconnected until all fees are paid.

### **Miscellaneous Charges**

Reconnection Service Charge .....	\$50.00
Work Order Fee (due if bill paid prior to actual cut off) .....	\$25.00

\*If a work order has been issued to terminate service and a payment has been made before actual cut off occurs, payment is to be applied primarily to outstanding fees and secondarily to outstanding debt.

**Water Rates**

<b><u>Gallons</u></b>	<b><u>Charge</u></b>
In town limits First 2,000.....	\$23.00
Out of town limits First 2,000.....	\$30.00
All over 2,000 .....	\$7.00 per 1,000 gallons
Invoiced Billed One Time Water Purchase .....	\$25.00 Work Order Fee Plus \$1.00 Per 100 Gallons

## **SECTION XVI ... GLOSSARY**

### **Definitions**

For purposes of these rules and regulation the following words and phrases shall have the meanings respectively ascribed to them in this section.

**Applicant:** A person or persons, or commercial or industrial establishment who has requested water service for a particular premises. The applicant shall be the party responsible for the payment of all fees and charges arising from the provision of service to the premises

**Approved:** Reviewed by the Town Manager or other designated Town official and determined to be within the standards and specifications of the Town of Gate City. Approval by the Town Manager does not imply conformance with the rules and standards of other regulatory agencies or the code

**Available:** A public water main shall be deemed available to any premises within the Corporate limits of the Town of Gate City, if any premises abuts or adjoins any street, alley, easement or Right of Way containing a public water main, or if the house, building or other improvement containing sanitary facilities is located within 30 feet of said street, alley, easement or right of way, and is located within 1715 feet of mean sea level

**Code:** The Virginia Uniform Statewide Building Code

**Connect/Connection:** The physical joining of a private water pipe to a public service connection

**Connection Fee:** A charge payable to the Town for permission to connect a premise to the Town's water system

**Department:** The Town of Gate City's Water Department Office, Staff and employees

**Domestic Use:** Normal usage of water within the home, including laundry, bathing, cleaning, cooking and drinking, but excluding car washing, lawn and garden watering and other non-potable uses

**Easement:** An acquired legal right for the specific use of land owned by others, carrying with it certain restrictions

**Equivalent Dwelling Unit:** the flow of water equivalent to the average flow of a single-family residential unit. EDU is computed in gallons per day as defined by the Virginia Water Works Regulations.

**Extension:** An addition to the Town's utility system in accordance with approved plans. Extensions become Town facilities upon completion.

**Fire Service Connection:** A connection to the water system from the main to the property line serving a private fire protection system with water.

**Install:** Shall be construed to mean that installation shall be in accordance with the standards and specifications of the Town and the Code.

**Internal Water Distribution System:** The pipes, valves, fittings, fire hydrants, service connections and other appurtenances lying wholly within a development such as a mobile home park, an

industrial or commercial complex, or similar use, which is privately owned water supply system to the development for uses therein.

Master Meter: A meter serving Four (4) or more units in an apartment building, mobile home park, or commercial building.

May: The term “may” is permissive.

Multi-Family Unit: Two (2) or more single family residential units in one (1) structure, including apartments, condominiums and town houses.

Multiple Hook-Ups: Shall mean two (2) or more businesses, commercial or industrial users located in a single edifice connected to one (1) meter.

Non-Potable Water: Any water that does not meet the requirements of the State Department of Health for drinking water.

Non-Connected: Any premises which is not physically connected to the town water system after having paid the connection fee; or any premises not receiving water from the town system.

Person: Any individual, firm, company, association, society, corporation or group.

Premises: Any property to which utility service(s) will be, is being, or have been supplied.

Private Water System: Any utility operating in a proprietary capacity for public purposes but owned by any person or group other than the town.

Public Utility: Any utility or appurtenance thereof which is owned and controlled by the town.

Renter: See *Tenant*.

Service Area or Jurisdictional Area: The territory included within the corporate limits of the Town of Gate City, in which the town has been authorized to provide and regulate both existing and future water facilities.

Service Connection: A pipe wholly within a public right-of-way or easement conveying water from a water main to any premises.

Single Family Residential Unit: A group of rooms including cooking accommodations, occupied exclusively by one or more persons living as a single family housekeeping unit.

Shall: The term “shall” is mandatory.

Standard Methods: The field and laboratory techniques contained in the publication Standards Methods for the Examination of Water and Waste Water, latest edition, as prepared and published by the American Public Health Association and the American Water Works Association, and the Water Pollution Control Federation.

Tenant: An applicant for water services who does not own the premises to which water service is being supplied.

Town: The Town of Gate City, Virginia.

Tract: Any parcel of land existing on the date of adoption of this document.



Underground Leak: A water leak on the premises of the user whose system is connected to the town's water system; which leak is in the pipes only, and is in such a location that the pipe cannot be seen without digging or destroying personal property. Leaks due to faulty or improper installation of a private system, even if under the earth, are specifically excluded from this definition.

User: Any person or persons, businesses or industrial establishments who benefits from the use of utility services; and an applicant.

Utility: For the purpose of this chapter, utilities shall include only the provision of potable water to a premise.

Water: Unless otherwise provided by the context, "water" shall mean water provided for drinking and meeting applicable standards of the U.S. Environmental Protection Agency, the U.S. Public Health Service, and the Virginia Department of Health, for drinking purposes.

Water Distribution System: The pipes, valves, fittings, fire hydrants, service connections, meter, meter settings and other appurtenances required to distribute water from the primary source to each user within the town.

Water System: All structures and appliances, whether publicly or privately owned, used in connection with the collection, storage, purification and treatment of water for domestic and/or drinking use. The term shall not apply to privately owned water systems and shall exclude privately owned service lines and the internal water distribution system of the building being served.