

TITLE V: PUBLIC WORKS

Chapter

- 50. PRIVATE PROPERTY MAINTENANCE**
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CHAPTER 50: PRIVATE PROPERTY MAINTENANCE

Section

50.01 General maintenance of private property

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§ 50.01 GENERAL MAINTENANCE OF PRIVATE PROPERTY.

(A) Owners and/or residents of property, residences, or businesses within the town, whether the property is vacant or occupied, shall keep such property maintained so as not to be unsightly, unsanitary, unhealthy, or a danger to any other citizen or a nearby structure.
(Prior Code, § 17-1-1)

(B) It shall be unlawful for any person to deposit, or abandon garbage, refuse, debris, dead animals or fish or other waste materials on the property of another.
(Prior Code, § 17-1-2)

(C) It shall be unlawful for any person to store, deposit, or abandon junked or derelict motor vehicles, boats, trailers, and the like on their property or the property of another.
(Prior Code, § 17-1-3)

(D) Owners of vacant property are responsible that their property does not become overgrown with weeds or brush so that it is unsightly or becomes a breeding place for rodents or otherwise presents a health hazard.
(Prior Code, § 17-1-4)

(E) Owners and or residents shall not allow dirt, mud clay, sand, coal, gravel, crushed stone, litter, refuse, lawn debris, or sewage waste to be spilled, dumped, stored, or washed upon public streets, alleyways, sidewalks, or property belonging to another.
(Prior Code, § 17-1-5)

(F) No person shall allow their pet animals to defecate on or otherwise create a nuisance on or destroy or damage the property of others.
(Prior Code § 17-1-6) Penalty, see § 50.99

§ 50.99 PENALTY.

Any violation of this chapter for which a penalty is not already set out, shall be subject to § 10.99.

CHAPTER 51: FIRE DEPARTMENT

Section

51.01 Junior fire fighters

§ 51.01 JUNIOR FIRE FIGHTERS.

Subject to any restriction that may be placed by each of the volunteer fire departments, any person who is 16 years of age or older, after first obtaining his or her parents' or guardians' approval, in writing, is authorized to work or participate fully in all activities of any volunteer fire department within the county, provided such person has attended certification under National Fire Protection Association 1001, Level One, fire fighter standards, as administered by the Virginia Department of Fire Programs. The certification record and parental guardian consent shall be kept on file in the office of the volunteer fire department for each participant who is enrolled pursuant to this section.

Statutory reference:

Similar provisions, see VA Code § 40.1-79.1
(Ord. passed 7-20-2004)

CHAPTER 52: WASTE COLLECTION AND DISPOSAL

Section

- 52.01 Definitions
- 52.02 Town responsibility
- 52.03 Scheduled refuse collection and disposal services
- 52.04 Service charge rates
- 52.05 Unacceptable refuse
- 52.06 Special services and fees

- 52.99 Penalty

§ 52.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BULK PAPER. Large quantities of newspapers, magazines, cardboard boxes and other papers.

COMMERCIAL REFUSE. Bulk cardboard boxes, bulk newspapers and magazines, and broken merchandise, discard foodstuffs and other small rubbish items.

GARBAGE. Waste resulting from the processing, handling, preparation, cooking or consumption of food.

HOUSEHOLD DEBRIS. Broken boards, lumber, scraps, broken furniture, utensils, bicycles, large appliances, and the like.

RUBBISH or TRASH. Refuse such as tin cans, bottles, crockery, paper, rags, toys, and other small items of glass, plastic, or wood so long as they fit into a garbage container.

SUITABLE CONTAINERS. Plastic garbage bags, heavy duty water-proofed paper garbage bags, or garbage container. A container may be of light gauge metal or a plastic garbage can. The container must have a fastened down lid to prevent rain water entry, release of odors, or attraction of insects. A container cannot be more than 40 gallons in capacity. Larger containers may be used to shelter filled plastic or paper bags, providing the collectors may conveniently lift out the plastic or paper bags when collecting and providing they do not have to lift or move the container in order to collect the bags.
(Prior Code, § 17-3)

§ 52.02 TOWN RESPONSIBILITY.

The town will provide a refuse collection and disposal service for solid waste matter which constitutes a health hazard, danger to its inhabitants, or unsightly condition. This service is to be provided to all residents, businesses, (including professions), and commercial entities within the corporate limits. The town is not obligated to provide to industrial manufacturers. The Town Manager will establish collection schedules and routes to include frequency of collections. A minimum of 1 collection per week must be made for each residential, business, or commercial user within the corporate limits.
(Prior Code, § 17-4)

§ 52.03 SCHEDULED REFUSE COLLECTION AND DISPOSAL SERVICES.

(A) Refuse collection and disposal service shall consist of the weekly collection and disposal of normal household garbage and rubbish or trash, and commercial refuse. Household debris must not be placed in garbage containers and these items will not be picked up by the garbage truck. Users must call the Town Hall and schedule the pick-up of these items by a special collection service.

(B) Refuse collectors will not pick up spilled refuse. The users must provide a means to ensure his or her refuse is not scattered by animals or become windborne.

(C) Refuse containers must be placed within 3 feet of the street edge or curb line and must be removed from the street on the day of pickup. The Town Manager may make exceptions to this rule when an alley or driveway is equally convenient for collection purposes. Refuse containers may be placed at the street edge the evening before collection service to preclude a user having to rise early.

(D) Business and commercial entities located in the downtown area without alleys to the rear of their establishments must adhere to the same criteria as above, except that refuse may be placed in the town-owned trash container located on the sidewalks with the exception of garbage. Cardboard boxes may be placed on the sidewalk at curb's edge. Merchants are responsible for cleaning up any trash which becomes windborne or otherwise scattered. No commercial refuse may be placed or left on the main street between the hours of 9:00 a.m. and 6:00 p.m. unless it is placed inside a refuse container.
(Prior Code, § 17-5)

§ 52.04 SERVICE CHARGE RATES.

(A) Service charge rates shall be determined on the basis of refuse volume, frequency of collection, and man-hours effort required for collection to be prorated against the total estimated cost of the entire

collection and disposal operation. Total costs shall include salary and wages of collectors, vehicles operating and maintenance costs, reserve for future vehicle purchases, operating materials and supplies, and pro-rated administrative costs.

(B) The rate established for residential users shall be the same rate for all residential users. A separate minimum rate for business and commercial users may be established.

(C) Services provided outside the corporate limits will be charged a rate of 150% of the comparable in-town rate.

(D) A garbage rate committee shall be appointed by the Mayor and shall consist of at least 2 Council members. This committee shall review rates annually and recommend to the Town Council any adjustments to the rate schedule at the time the budget is submitted. Between rate reviews the Town Manager is authorized to negotiate and establish a comparable rate for any new commercial or business enterprises whose rate has not been previously established or for a current user whose refuse volume has appreciably increased or decreased.

(E) All occupied domiciles, including apartments with a private kitchen and bath facility, and all business or commercial or professional entities located within the corporate limits will be charged for refuse collection services whether they utilize the service or not. Any business located within the corporate limits and which utilizes a separate telephone or advertises in the telephone directory, yellow pages or news media, or displays a business sign or distributes advertising literature or solicits or sells merchandise or services will be deemed to be a business or commercial entity.

(F) Garbage collection service charges will be consolidated with water and sewer service charge billing effective January 1, 1975. Therefore, when the consolidated bill is not paid when due all services will be discontinued. Bills are due the tenth day of the following month from which the bill is mailed and if not paid by then, services will be discontinued without

further notice. The owner, or his or her agent, of multi-family dwellings; or buildings occupied by 2 or more business or professional entities; or separate dwellings which are connected to the town water system with only 1 meter servicing 2 or more dwellings or business buildings; will be billed a minimum charge for each occupant or the actual cost of the garbage service used, whichever is greater. The owner or his or her agent must be billed only when the occupied building does not have a separate water meter for each occupant. The minimum garbage charge for each occupant is to be levied for any portion of the month the building, is occupied and will not be pro-rated for a fractional month of occupation. The affected property owners will notify the proper town officials when a unit or units are vacated and when they become occupied. The term ***OCCUPANT***, as used in this division is defined as a single family unit or single business or professional entity. A 1 person business or occupation operating solely from a person's residence, such as bookkeeper tax preparer, painter, music teacher, and the like, is exempt from paying a minimum charge for garbage providing that a service charge is being paid for the residence service. This exemption does not apply to beauty shops, barbers, and other 1 person businesses which obviously create a greater demand than the normal residence requirements for garbage service. (Prior Code, § 17-6)

§ 52.05 UNACCEPTABLE REFUSE.

Refuse or solid waste which will not be collected by the town as part of its normal, scheduled collection service include the below categories.

(A) Dead animals, uncooked fish, septic tank waste, liquid wastes. However, uncooked fish or meat scraps securely wrapped in paper or plastic may be disposed of in the same manner as garbage;

(B) Trees and large limbs, unless, the trees are not cut into small sizes which 1 man may lift and limbs and branches are not more than 6 feet in length;

(C) Derelict automobiles, boats, trailers, trailer homes, motorcycles, rubber tires, and the like;

(D) Contractor building debris and materials; and

(E) Industrial wastes.
(Prior Code, § 17-7)

§ 52.06 SPECIAL SERVICES AND FEES.

Other disposal services which the town may provide and for which a separate fee is to be charged are:

(A) Contents of septic tanks cleaned out within the corporate limits may be disposed of at the town wastewater treatment plant by obtaining a permit at the Town Hall and paying an advance fee of \$65 per 1,000 gallons or fractions thereof so disposed.

(B) Rubber tires will be collected by the town employees upon the user calling the Town Hall and scheduling their pick up. A charge of \$.50 per tire, payable in advance, will be levied for each tire picked up. The town will transport tires to county landfill for disposal.
(Prior Code, § 17-9)

§ 52.99 PENALTY.

Any violation of this chapter for which a penalty is not already set out shall be subject to § 10.99.

CHAPTER 53: REMOVAL, REPAIR OF BUILDINGS AND OTHER STRUCTURES

Section

- 53.01 Condemned buildings and structures
- 53.02 Abandoned buildings and structures
- 53.03 Town Manager's duties

§ 53.01 CONDEMNED BUILDINGS AND STRUCTURES.

Buildings and structures condemned by the Health or Building Official shall constitute a nuisance and shall be repaired or removed from the property at the expense of the owner.
(Prior Code, § 17-10-1)

§ 53.02 ABANDONED BUILDINGS AND STRUCTURES.

Abandoned buildings and structures which have been, allowed to deteriorate to the point that they are unsafe, constitute a fire hazard or in any way endanger the public health, safety or welfare of residents of the town constitute a nuisance and shall be repaired or removed from the property at the expense of the owner.
(Prior Code, § 17-10-2)

§ 53.03 TOWN MANAGER'S DUTIES.

To compel the abatement of the nuisance described above, the Town Manager shall:

(A) Inform the owner of the building or structure, in writing of the existence of the nuisance and request that the owner repair or remove the structure within 90 days subsequent to notification.

(B) In the event that the property owner fails to satisfactorily repair or remove the building or structure within 90-days' time frame, the Town Manager shall advertise for bids to demolish and remove the building or structure from the property.

(C) Advise the Council, Town Attorney, the contractor and the property owner of the awarding of the bid. If no bids are forthcoming or the bids received are unacceptable, the Town Manager may, if feasible, use the assets of the Public Works Department to demolish and remove the building or structure from the property.

(D) Send a notice to proceed to the contractor or to the Director of Public Works so that he or she may commence work.

(E) Conduct appropriate inspections of the work to ensure proper accomplishment before the contractor is paid and released. In the event that the demolition is completed by the Public Works Department, the same inspection procedures shall be applicable.

(F) Upon completion of the demolition, the Town Manager will forward to the Treasurer, a letter authorizing payment of the contractor or notifying the Public Works Department of project completion.

(1) The Town Treasurer upon receipt of the letter authorizing payment of project completion, shall charge and collect from the owner of the demolished

building or structure to include a fee, in an amount set by Council from time to time, from disconnecting water and sewer as taxes and levies are collected.

(2) Every charge authorized by this chapter with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property.
(Prior Code, § 17-10-3)

CHAPTER 54: WATER AND SEWER

Section

General Provisions

- 54.001 Repeal of previous ordinances
- 54.002 Irrigation wells

Water and Sewer Charges

- 54.015 Water rates
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- 54.017 Application for service
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GENERAL PROVISIONS

§ 54.001 REPEAL OF PREVIOUS ORDINANCES.

An ordinance to provide for the installation or making of water and sewer connections to the Town of Clarksville's water and sewer system adopted prior to November 21, 1995 are hereby repealed.
(Prior Code, § 21-1)

§ 54.002 IRRIGATION WELLS.

A well may be drilled for irrigation, agricultural and landscaping purposes if it meets all established zoning setbacks for required yards and provided that there is no means of cross-connection between the private well and the municipal water supply at any time.
(Ord. passed 12-18-2007)

WATER AND SEWER CHARGES**§ 54.015 WATER RATES.**

The Town of Clarksville bills customers every 2 months. A minimum of 6,000 gallons will be charged by the town at a rate which will likely change yearly. In addition to the minimum charge, each customer will be charged for additional gallonage based on 1,000 gallons. Each change in rates will be listed in the Water and Sewer Policy.
(Prior Code, § 21-2)

§ 54.016 SEWER RATES.

A minimum of 10,000 gallons will be charged by the town at a rate which will likely change yearly. In addition to the minimum charge, each customer will be charged for additional gallonage based on 1,000 gallons. The charge for sewer is based on the number of gallons of water used. Each change in rates will be listed in the Water and Sewer Policy.
(Prior Code, § 21-2)

§ 54.017 APPLICATION FOR SERVICE.

(A) Any person, persons, firm or corporation desiring to make an application for a new water and/or sewer service connections from the Town of Clarksville should make a written application to the effect, on forms approved and supplied by the Town Manager, either in person, by letter or phone to the following:

Utilities Department of the Town of Clarksville
P.O. Box 1147
321 Virginia Avenue
Clarksville Virginia 23927
(Phone: 804-374-8177)

(B) The person or persons applying for service must furnish their place of employment and social security number. Services shall be provided as soon as

practicable after receiving and approval of request for service and assurance that all provisions of these policies have been met.
(Prior Code, § 21-2-A)

§ 54.018 DENIAL OF SERVICE.

The Town of Clarksville reserves the right to reject any application for service and to deny service to any applicant when the applicant is delinquent in payment to the Town of Clarksville for previous water and/or sewer service billed or for any other deeds rendered. Service may be granted to the applicant upon payment of the delinquent amount and any penalties that may have accrued and upon approval of the Town Manager.
(Prior Code, § 21-2-B)

§ 54.019 RESPONSIBILITY FOR PAYING.

Water and sewer charges shall be billed to the owner of the property receiving water and/or sewer service as recorded on the town records. The owner shall be liable for all water furnished his or her premises. In the event an owner rents the property to a tenant, the owner shall continue to be liable for water furnished the premises, unless and until the owner or tenant notifies the town under what name the account is to be recorded. No more than 1 bill shall be rendered for each meter connected to a water main.
(Prior Code, § 21-2-C)

§ 54.020 DEPOSIT.

When water and/or sewer service is requested by a tenant of a premises, the payment for which is not guaranteed by the owner, such tenant shall make a deposit which is likely to change yearly. This deposit charge will be listed in the Water and Sewer Policy. This deposit shall be refunded without interest when service is discontinued, after the meter is read and any charges due are collected.
(Prior Code, § 21-2-D)

§ 54.021 CHANGE OF OCCUPANCY.

All persons, when accepting water and/or sewer service from the Town of Clarksville, agree to provide not less than 3 business days notice in person or in writing to the Utilities Department of the Town Hall, to discontinue service or to change the name in which the account is maintained. Bills are adjusted by the month. If a customer receives service for 1 month, the bill will be adjusted for 1 month providing the water usage does not exceed 3,000 gallons. However, if customer receives service for any part of the second month on the billing cycle, he or she will be charged the full 2-month bill. Should another customer occupy the dwelling in the middle of a billing cycle, the meter will be read as specified by the first customer. If the water usage is 3,000 gallons or less, the first customer will have an adjustment on his or her bill for 1 month. If the usage is over 3,000 gallons, the customer will be charged a full minimum bill, if the usage is over 6,000 gallons, the customer will be charged according to the number of gallons used. The second customer will be billed by the same rules.

(Prior Code, § 21-2-E)

§ 54.022 BILLING AND PAYMENT.

(A) *Rates.* Rates for water and sewer service to customers served by the Town of Clarksville shall be computed on a decelerated scale of usage.

(B) *Usage.* Usage shall be determined by the reading of meters, which will take place between the fifteenth and the twentieth day of every other calendar month and shall be performed by employees of the Town of Clarksville.

(C) *Billing.* Bills shall be mailed to the address given to the town by the customer on the last day of the month and shall be due by the tenth day of the following month.

(D) *Payment and penalty.* If payment is not made by the due date, a penalty of 10% of the total outstanding balance will be added to the bill.

(E) *Termination of service; reconnection.* A 15-day delinquency may result in termination of service. If service is disconnected due to delinquency or at customer request, a \$20 handling charge shall be made for reconnection and shall be paid to the town prior to service being reconnected. The Town Manager shall then proceed in any manner provided by law, including but not limited to ascertaining a lien against the real estate if the customer, using collection attorneys, or obtaining judgements to collect such delinquent charges.

(F) *Additional meter readings.* The town will make special, unscheduled, meter readings at the request of a customer for a fee of \$10 per reading. However, if the meter is found to have been misread or inoperative, no charge shall be assessed. If a meter is broken or rendered inoperative for any cause or reason, or if it fails to register flow correctly, the customer shall be billed for service at a rate computed as the average of his or her past 4-month usage. Charges for service commences when the meter is installed and connection is made whether used by the customer or not. If a connection ceases to be used, the customer shall be responsible for notifying the Utilities Department in accordance with the provisions outlined above.

(G) *Failure to receive bills.* Failure of the customer to receive bills and/or notices shall not prevent such bills from becoming delinquent and not relieve the customer of the burden of payment. Neither shall the town be limited in its ability to discontinue service to the delinquent customer. Furthermore, failure of the Utilities Department to send delinquent notices shall in no way impair the remedies available to it for failure to pay bills when due.

(Prior Code, § 21-2-F)

§ 54.023 MULTIPLE USERS.

The minimum fee shall apply to each residence or use in multiple dwellings, apartments, trailer courts, or mixed uses, when 2 or more units are served

through a single meter. If the meter reading of usage for any given month exceeds the minimum monthly usage per residence or use, the number of gallons used shall be divided equally among the number of residences or users served and the applicable town rate applied for water and/or sewer services provided by the town.

(Prior Code, § 21-2-G)

§ 54.024 REQUEST CUT-OFF.

If for any reason water service is cut off at the request and for the convenience of the person responsible for payment of the water and/or sewer charges, a charge of \$10 will be levied and collected prior to the disconnection of water service, and again prior to the reconnection of service for a total fee of \$20.

(Prior Code, § 21-2-H)

WATER AND SEWER CONNECTIONS

§ 54.035 WATER CONNECTIONS.

Upon written request, a property owner whose property is adjacent to an existing water line within the Town of Clarksville will be connected to the town water system for a fee to be reviewed annually by the Town Council and listed in the annual budget. The property owner will be responsible for the cost of all materials and the labor to make the connection. The town reserves the right to oversee all connections and to specify the materials used and the manner in which the connection is made.

(Prior Code, § 21-3-A)

§ 54.036 SEWER CONNECTIONS.

Upon written request, a property owner whose property is adjacent to an existing sewer line within

the Town of Clarksville will be connected to the town sewer system for a fee to be reviewed annually by the Town Council and listed in the annual budget. The property owner will be responsible for the costs of all materials and the labor to make the connection. The town reserves the right to oversee all connections and to specify the materials used and the manner in which the connection is made.

(Prior Code, § 21-3-B)

§ 54.037 REQUIRED CONNECTIONS.

The owner of each and every occupied property abutting in any manner upon a street or alley through which runs a public water and/or sewer main capable of supplying said property, shall be required to connect the premises with such a water and/or sewer line and to discontinue the use of privies, outside toilets or any other water supply or disposal system; provided however, that such a connection will not require a private well and/or sewer line over 200 feet in length, in which case the property shall be excused from the necessity of such connection if the private systems are constructed and maintained to the standards required by the State Health Department. The town reserves the right to refuse service where it is not economically feasible to serve or where water pressure and volume are insufficient to meet Health Department requirements (20 psi and 3 gpm) or slope makes discharge of sewerage impossible or extremely difficult.

(Ord. passed 9-18-2007)

WATER AND SEWER EXTENSIONS

§ 54.050 WATER EXTENSIONS.

Upon receipt of a written petition of all the land owners abutting a street in the Town of Clarksville the town will extend its water mains along the street under the following conditions:

(A) The abutting property owners along both sides of the proposed water line state in the petition that they agree to pay for 1/2 of the total cost of installing the proposed water line, plus the actual cost of the connection including all materials and labor, the town paying the other 1/2 of the total cost.

(B) The cost to the individual abutting property owner shall be determined in the following manner: The total footage of the property owners abutting both sides of the proposed water main and signing the petition will be divided into 1/2 the total cost of installing the line, arriving at a per foot cost to the abutting property owner. The individual property owner shall be charged according to the number of feet of his or her property abutting the line. Provided, however, that any person owning a lot wherein the water line abuts 2 sides of the property shall be charged only for what side wherein he or she is connected to the water main.

(C) The abutting property owner signing the petition shall state in the petition that within 30 days of receipt of the bill for their share of the water line cost they agree to pay at least 1/3 the amount charged. The remaining portion may be paid in quarterly payments over a period of 2 years. This money carrying a 10% interest charge from the date the original bills are rendered. If the entire charge is paid within 30 days no interest will be charged.

(D) Whenever there is a petition for the extension of water lines and the percentage of landowners required by division (A) of this section do not sign the petition, the line may be extended at the discretion of the Council. In such case the petitioning owners shall pay their share of the cost as if the

percentage of owners required by division (A) of this section had signed the petition. The balance of the cost will be paid by the town, provided however, that if at any time in the future those owners who have not signed the petition desire to be connected to the water line the town will make such connections only after such owners have added their names to the petition, thereby agreeing to pay their share of the cost of the line, plus 10% interest from the date the line was laid, plus actual cost of connection. The share of the line and the cost of connection must be paid in full within 30 days after the connection is made and the bill mailed to the property owner.

(Prior Code, § 21-4-A)

§ 54.051 SEWER EXTENSIONS.

Sewer lines in the Town of Clarksville may be extended along a street or route where it is practical to do so at the discretion of the Town Council if the following conditions are agreed to by the petitioning property owners:

(A) A petition is submitted containing the signatures of not less than 3/4 of the land owners to be effected.

(B) Notice is given to the land owners abutting the proposed sewer line citing the land owners to appear before the Council not less than 10 days thereafter.

(C) Council must approve the sewer line by a 2/3 vote.

(D) The cost of the proposed sewer line shall be financed in the following manner: 1/2 of the total cost to be paid by the land owners abutting each side of the line.

(E) The cost to the individual abutting property owner shall be determined in the following manner: The total footage of the property owners abutting both sides of the proposed sewer line will be divided into 1/2 the total cost of installing the sewer line to arrive at a per foot cost to the abutting property owners. The

individual property owner shall be charged according to the number of feet of his or her property abutting the line using the per foot computed by the above method. Provided, however, that any person owning a lot wherein the sewer line abuts 2 sides of the property shall be charged only for that side wherein he or she is connected to the sewer line. The property owner will be responsible for the actual cost of making the sewer connection, including all materials and labor.

(F) Within 30 days of receipt of the bill for the assessment for their share of the sewer line cost the abutting property owner shall pay at least 1/3 of the amount assessed. The remaining portion may be paid by quarterly payments over a period of 2 years. This money carrying a 10% interest charge from the date the original bills were rendered. If the entire assessment is paid within 30 days no interest will be charged.

(Prior Code, § 21-4-B)

§ 54.052 EXTENSIONS TO NEW SUBDIVISIONS AND DEVELOPMENTS.

(A) The provision of this chapter shall govern water and sewer extensions to new subdivisions and developments inside the corporate limits.

(B) Upon approval by the Town Council, water and sewer lines may be extended; provided that the subdivider or developer will bear the full cost of such water and sewer lines.

(C) The developer shall have prepared, at no cost to the town, plans and specifications for the water and/or sewer lines. Such plans will be submitted to the town for approval. The town shall have the right to prescribe the size of the mains and appurtenances. All materials used shall be approved by the town. The town also has the right to prescribe where such lines shall be installed and where connections to existing mains shall be made.

(D) The developer will be required to install such mains the full distance of the subdivision or development, unless the developer obtains permission to do otherwise. The developer must provide standard fire hydrants at points designated by the Town Manager.

(E) (1) Title to water mains, fire hydrants and sewer lines installed pursuant to this section shall, from and after its installation, be and remain the property of the town as part of its system.

(2) The Town Council, upon certification by the Town Manager that the installation has been made in a satisfactory manner, shall accept a deed to the sewer and water lines and fire hydrants, together with all necessary easements therefor.

(F) Upon approval of the plans by the Town Council, the installation shall be accomplished in either of the following ways as may be prescribed by the Town Council:

(1) The developer shall employ a licensed contractor, acceptable to the town, to install the water lines at no cost to the town; or

(2) The developer shall deposit with the Town Treasurer, in cash, the estimated cost of making the installation, plus 10%, and the town shall proceed to do the work. Upon completion, the amount deposited by the developer shall be adjusted to the actual cost of installation, plus 10%.

(G) The policy herein set forth in no way binds Council with respect to such water and sewer connections as it may determine to be in the best interests of the town.

(Prior Code, § 21-4-C)

CROSS CONNECTION CONTROL

§ 54.065 ADMINISTRATION.

The Public Utilities Director shall administer and enforce this program under the supervision of the Town Manager.

(Ord. 23, passed 4-21-1998)

§ 54.066 PURPOSE.

(A) Preventing backflow of pollution or contamination into the waterworks from a consumer's water supply system by installing an appropriate backflow prevention device or by backflow prevention by separation at the service connection. Containment has the highest priority.

(B) Preventing backflow of pollution or contamination into the consumer's water supply system by informing the owner of the shared responsibility for water quality and providing assistance where requested in determining the degree of hazard and recommending appropriate backflow prevention devices or separations at each point of use beyond the service connection which may be a health or pollutional hazard. Informing owners of the need for isolation beyond the service connection will be a continuing effort.

(C) Preventing backflow of pollution or contamination into the waterworks and into the consumer's water supply system, where it is not intricate or complex, by application of point of use isolation in lieu of containment. The alternative of isolation in lieu of containment will be evaluated at each premises where containment is required.

(Ord. 23, passed 4-21-1998)

§ 54.067 PROCEDURES.*(A) General.*

(1) Each consumer's water supply system will be accessed at least annually for cross connection hazards. Assessment will be by on site interviews or by a questionnaire.

(2) Public Utilities Director will arrange to have trained personnel conduct an on site interview with the owner or owner's representative of each consumer's water supply system identified in Section VII C. through F., of the chapter.

(3) Town Manager will arrange to have a questionnaire sent to each remaining consumer's water supply system owner, including residential.

(4) Town Manager will route all new plans for service connections to serve fire service connections and lawn sprinkler or irrigation systems and will route backflow prevention recommendations beyond the service connection through the local building official.

(5) The local building official will coordinate cross connection control requirements at new premises, premises where usage has changed, premises where booster or fire pumps are used, and all others where plumbing modifications occur, with Public Utilities Director.

(6) Town Manager will review and track the cross connection control operational verification reports.

(7) Public Utilities Director will submit enforcement action recommendations to the Town Manager for approval.

(B) Assessment by on site interviews.

(1) On site interviews will follow a prepared questionnaire used to assess the need for cross connection control by containment.

(2) Public Utilities Director will have trained personnel conduct a cross connection control and backflow prevention on site interview with each consumer's water supply system owner or representative identified in Section VII C. through F. of the chapter.

(3) The inspectors prior to the survey will gather available information about the premises to be surveyed.

(4) The inspector will explain the reasons for cross connection control and backflow prevention to the consumer's water supply system owner or representative.

(5) The inspector will ask how water is used after it enters the premises.

(6) The inspector will ask if there are any plans for future expansion and discuss possibility of additional protection requirements.

(7) The inspector will ask if an inspection of the premises may be made to determine if point of use isolation should be considered for the protection of the consumer's water supply system users or for substitution for containment.

(8) Record all information on the prepared questionnaire. This would include water uses, assessment of degrees of hazard and diagrams.

(9) The results of the survey with recommendations for containment devices, separations and point of use isolation will be submitted to the Public Utilities Director for approval. Recommendations for isolation devices or separation in lieu of containment will also be submitted to the local building official through the Public Utilities Director for approval.

(10) On site, the Maintenance Superintendent will conduct interviews at least annually. A cross connection control questionnaire will be completed to reaffirm the degree of hazard and to assess the facility for new hazards. During these interviews, each

installed device or separation will be inspected for appropriateness, proper installation and general appearance. Point of use isolation protection will be discussed with the owner. A report will be filed with the Public Utilities Director with violations noted and/or recommendations for repair replacement of existing devices or separations and/or installation of additional devices.

(C) *Assessment by questionnaires.*

(1) Annual questionnaires will be sent to each consumer's water supply system owner except those premises where on site interviews are being conducted.

(2) The Public Utilities Director will review the results of the annual questionnaires. Based on the response to the questionnaires, cross connection control interviews will be scheduled and appropriate devices or separations required to provide containment and/or point of use isolation where appropriate. No response to the questionnaire will prompt an on site interview. Refusal of access for inspection or provision of pertinent information shall prompt the requirement to install a containment device.

(3) Questionnaires can be repeated annually at the discretion of the Public Utilities Director after an initial interview at premises, including those identified in Section VII C. through F. of the chapter, where devices or separations are installed and the results of the initial interview are not expected to change. These premises would be where the plumbing is not intricate or complex and not expected to be modified and no unexpected change in use of the premises would occur without Town Manager being notified.

(D) *Consumer notification.*

(1) Public Utilities Director will notify the consumer's water supply system owner in writing as to the required location of any device or separation; type of device or separation, including applicable University of Southern California, Foundation for Cross-Connection Control and Hydraulic Research

(USC), American Society of Sanitary Engineering (ASSE), and American Water Works Association (AWWA) approvals or standards; installation requirements; testing, inspecting and overhauling requirements; and the deadline for completing the installation, usually 15 days.

(2) If the consumer's water supply system owner fails to install any required device or separation within the deadline, a second notice shall be prepared with notification of termination of water service unless compliance is obtained within 5 days.

(E) *New premises.*

(1) All building permit applications shall be reviewed and approved by the Building Inspector for cross connection control requirements prior to issuance of a building permit.

(2) Required devices or separations shall be operational prior to issuance of a certificate to occupy. The initial testing of devices will be performed by the installer.

(3) A follow up inspection of all premises except residential will be performed within 30 days of occupancy.

(4) All new residential service connections shall be fitted with a residential dual check (ASSE #1024). See § 54.076(B).

(F) *Existing premises.*

(1) All owners or representatives of existing premises identified in VII C. through F. of the chapter will be interviewed and owners notified in writing of any backflow prevention requirements.

(2) All remaining owners will initially be interviewed or mailed questionnaires on a schedule consistent with the extent of the system and the type of facility served.

(3) All residential service connections shall be fitted with a residential dual check (ASSE #1024). See § 54.076(B).

(G) *Operational verification.*

(1) Testing of required devices will be the responsibility of the consumer's water supply system owner(s).

(2) Test results, maintenance records and overhaul records shall be reported to the Public Utilities Director within 30 days of completion of testing or work.

(H) *Premises with residential containment devices.*

(1) Residential containment devices, such as those devices consisting of dual, independent check valves (ASSE # 1024), (shall be tested every 2 years) and shall be (overhauled) (replaced) (every 10 years) (on a schedule with the meter replacement program).

(2) Annual assessment by questionnaires shall be conducted and results reviewed as noted above.

(I) *Premises with individual water supplies.*

(1) Existing premises requesting a new service connection or reconnection to the waterworks must be assessed by on site interview for cross connection hazards and the appropriate devices or separations installed, inspected, tested and operational prior to making the service connection.

(2) Existing premises with individual water supplies may, upon approval of the Public Utilities Director, maintain the water supply on the premises if a separation from the consumer's water supply system is provided and maintained.

(3) Annual assessments will be made to verify the maintenance of the separation. If an on site interview is denied or the questionnaire is not responded to, then the customer will be notified in accordance with § 54.067(D).

(J) *Backflow prevention device testers.*

(1) Device testers will have obtained a certificate of completion of a course recognized by the American Water Works Association, the Virginia Department of Health or the Virginia Cross Connection Control Association for cross connection control and backflow prevention inspection, maintenance and testing.

(2) The tester is responsible for making competent inspections and for repairing or overhauling backflow prevention devices and making reports of such repair to the consumer's water supply system owner on forms approved by the Public Utilities Director.

(3) The tester shall include the list of materials or replacement parts used and insure that parts used in the repair of the backflow prevention device meet the manufacturer's recommendations and the University of Southern California, Foundation for Cross Connection Control and Hydraulic Research (USC).

(4) The tester shall not change the design or operational characteristics of a device during repair or maintenance without prior written approval of the consumer's water supply system owner, water purveyor and Town Manager.

(5) The tester shall be equipped with and be competent in the use of all the necessary tools, gauges, manometers and other equipment necessary to properly test, repair and maintain backflow prevention devices.

(K) *Point of use isolation protection.*

(1) Any premises, residential, commercial, or industrial, where all actual or potential cross connections can be easily correctable at each point of use and where the consumer's water supply system is not intricate or complex, point of use isolation protection by application of appropriate backflow

prevention devices or separations may be used in lieu of installing a containment device at the service connection if the following conditions are met:

(a) The method of protection provided shall be, in the judgment of the Public Utilities Director, the method which best provides protection;

(b) The consumer's water supply system owner grants access for inspections; and makes a request in writing for point of use isolation protection; and

(c) The Local Building Official concurs.

(2) Devices installed under this section shall be selected from the Isolation Device Application Table in § 54.076(A).
(Ord. 23, passed 4-21-1998)

§ 54.068 RECORDS.

(A) An up-to-date listing of all customers shall be maintained by the town office. The list will contain.

- (1) Owner of premises;
- (2) Tenant;
- (3) Name of premises;
- (4) Service address;
- (5) Phone number;
- (6) Contact person;
- (7) Number of service connections;
- (8) Size of service connection; and
- (9) Annual assessment by:
 - (a) On site interview; or

(b) Mailed questionnaire.

(B) An up-to-date listing of consumer's water supply system owners who have cross connection control devices or separations installed shall be maintained by town office. The list will contain:

- (1) Owner of premises;
- (2) Tenant;
- (3) Name of premises;
- (4) Service address;
- (5) Phone number;
- (6) Location of device or separation;
- (7) Contact person;
- (8) Manufacturer of device;
- (9) Device model number;
- (10) Device serial number;
- (11) Device size;
- (12) ASSE number;
- (13) Type of protection:
 - (a) Containment;
 - (b) Containment and isolation; or
 - (c) Isolation in lieu of containment.
- (14) Access; whether:
 - (a) Granted;
 - (b) Denied; or
 - (c) Not necessary.

(C) Cross connection control on site interview reports shall be maintained by the town office for 10 years. The report will contain:

(1) Inventory information as noted in division (A); and

(2) An assessment of:

(a) Degree of hazard;
(b) Appropriateness of device or separation;

(c) Installation;

(d) General appearance of device;

(e) Repair / replacement recommendations;

(f) New/additional device or separation recommendations; and

(g) Any indication of thermal expansion problems.

(D) Cross connection control testing reports shall be maintained by the town office for 10 years.

(1) The report will contain:

(a) Inventory information as noted in division (A);

(b) Line pressure;

(c) Results of testing;

(d) Test method used; and

(e) Date and signature of device tester.

(2) If repairs were made, the test report will contain:

(a) Which parts replaced;

(b) Replacement parts used;

(c) Probable cause of test failure;

(d) Preventative measures taken.

(E) Questionnaires shall be maintained by the town office for 10 years. The questionnaire will contain:

(1) Owner and address of residence;

(2) Occupant if different from owner;

(3) Phone number;

(4) Brief explanation of the program;

(5) Brief explanation of causes of backflow and control measures;

(6) Some likely cross connections:

(a) A garden hose with its outlet submerged;

(b) Kitchen sink spray hose with its spray head submerged;

(c) Hand-held shower massager with its head submerged;

(d) Garden hose used as an aspirator to spray soap or garden chemicals;

(e) Spring, hot tub, cistern, or swimming pool connected to the house plumbing system;

(f) Water softeners improperly connected;

(7) Specific questions which will include but not be limited to:

(a) Individual wells, springs or cisterns on the property;

- (b) Pressure booster pumps;
- (c) Water storage tanks;
- (d) Water treatment systems;
- (e) Outside hose bibs used in conjunction with:
 - 1. Chemical sprayers;
 - 2. Jet spray washers;
 - 3. Swimming pools, hot tubs, saunas, and the like; and
 - 4. Lawn sprinkler or irrigation systems.
- (f) Photographic developing;
- (g) Utility sinks with hoses extending below sink rim; and
- (h) Animal watering troughs.
- (8) Existing cross connection control devices:
 - (a) Working properly;
 - (b) Leaking, noisy;
 - (c) Any modifications or repairs made;
 - (d) Date of last test; and
 - (e) Any problems with hot water tank relief valve or faucet washers not lasting very long.
- (9) Also included with the questionnaire should be:
 - (a) Educational material;
 - (b) Who to contact for further information;
 - (c) Who to contact if contamination is ever suspected; and
 - (d) A deadline to respond to the questionnaire.
 - (F) Residential containment device (ASSE #1024) overhaul or replacement reports shall be maintained by the town office for 10 years. The report will contain:
 - (1) Inventory information as noted in division (A);
 - (2) Overhaul/replacement action; and
 - (3) Date of action.
(Ord. 23, passed 4-21-1998)

§ 54.069 NOTIFICATION LETTERS.

- (A) Inspections;
- (B) Testing due;
- (C) Inspection report;
- (D) Test results;
- (E) Device required;
- (F) Violations; and
- (G) Termination of service.
(Ord. 23, passed 4-21-1998)

§ 54.070 REPORTING CONTAMINATION OR SUSPECTED CONTAMINATION.

(A) (1) The consumer's water supply system owner, local building official, device tester or any other person should report contamination or the suspicion of contamination to any 1 or all of the following:

(2) Title, organization, phone number of the following:

(a) Town Manager, County Administrator, Mayor, or other chief administrative officer;

(b) Local Building Official;

(c) Water Plant Operator;

(d) Virginia Department of Health, Office of Water Programs Field Office; or

(e) Local sanitation.

(B) The Town Manager will be responsible for investigating reports of contamination or suspected contamination and will be responsible for notifying the appropriate Virginia Department of Health, Office of Water Programs Environmental Engineering Field Office at phone number (804)836-8416. A written report will be submitted by the tenth day of the month following the month during which backflow occurred addressing the incident, its causes, affects, and preventative or control measures required or taken. (Ord. 23, passed 4-21-1998)

§ 54.071 DEVICE SELECTION GUIDELINES.

(A) Virginia Cross Connection Control Association - Recommended Best Practice;

(B) BOCA National Plumbing Code: Volumes II and I;

(C) EPA Cross-Connection Control Manual;

(D) Virginia Waterworks Regulations;

(E) AWWA M - 14 Cross Connection Control Manual; and

(F) University of Southern California, Foundation for Cross-Connection Control and Hydraulic Research. (Ord. 23, passed 4-21-1998)

§ 54.072 EXAMPLES OF TYPES OF FACILITIES, PROBABLE DEGREE OF HAZARD AND TYPE OF CONTAINMENT DEVICE REQUIRED.

(A) All containment devices shall comply with AWWA Standards and be approved for containment by USC.

(B) In high hazard situations subject to backpressure, backflow prevention by separation should be the method of choice wherever practical.

Hospitals, mortuaries, clinics, veterinary establishments, dental offices, nursing homes and medical buildings	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Laboratories	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Piers, docks, waterfront facilities	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013

Sewage treatment plants, sewage pumping stations or storm water pumping stations	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Food and beverage processing plants	Generally, a moderate hazard	Double Gate-Double Check Valve Assembly (DG-DC) ASSE #1015
Use of toxins and the like in processing food and beverage	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Chemical plants, dyeing plants and pharmaceutical plants	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Metal plating industries	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Petroleum processing or storage plants	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Radioactive materials processing plants or nuclear reactors	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Car washes and laundries	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Lawn sprinkler systems, irrigation systems	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013 or atmospheric vacuum breakers ASSE #1001 or Pressure Vacuum Breaker ASSE #1020
Fire service systems		
Slaughter houses and poultry processing plants	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Farms where the water is used for other than household purposes	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Commercial greenhouses and nurseries	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Health clubs with swimming pools, therapeutic baths, hot tubs or saunas	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Paper and paper products plants and printing plants	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
Pesticide or exterminating companies and their vehicles with storage or mixing tanks	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013 at service connection and on vehicles

Schools or colleges with laboratory facilities	High hazard	Reduced Pressure Principle Device (RPZ) ASSE #1013
High-rise buildings (4 or more stories)	Unless otherwise covered, moderate hazard	Double Gate-Double Check Valve Assembly (DG-DC) ASSE #1015
Multipurpose commercial office or warehouse facilities	Unless otherwise covered, moderate hazard	Double Gate-Double Check Valve Assembly (DG-DC) ASSE #1015

(Ord. 23, passed 4-21-1998)

§ 54.073 DEVICE SELECTION.

(A) Device selection shall depend on the degree of hazard, which exists or may exist.

(B) Backflow prevention by separation gives the highest degree of protection and shall be used whenever practical to do so in high hazard situations subject to backpressure. See § 54.076(A).
(Ord. 23, passed 4-21-1998)

§ 54.074 DEVICE TEST ABILITY/SERVICEABILITY.

(A) Containment or isolation devices used within the consumer's water supply system that are capable of being tested and repaired in-line include the Reduced Pressure Principle Device (RPZ), Double Gate-Double Check Valve Assembly (DG-DC) and Pressure Vacuum Breaker (PVB).

(B) Residential dual checks without an intermediate atmospheric vent and Boiler Dual Checks with an intermediate atmospheric vent are testable but most of these ASSE approved devices must be removed for testing. Some can be overhauled in-line.

(C) Generally, a visual inspection is the only means to inspect most Hose Bib Vacuum Breakers (HBVBs) since they cannot be removed if installed in accordance with the manufacturer's instructions.

Some manufacturers do provide wall hydrant type HBVB with removable vacuum breakers, which can be easily removed, for inspection and replacement.

(D) Pipe connected Atmospheric Vacuum Breakers (AVBs) can be inspected by removing the top cover.

(E) Air gaps and physical disconnection requires only a visual inspection.
(Ord. 23, passed 4-21-1998)

§ 54.075 THERMAL EXPANSION.

(A) Normally, as water is heated and expands it would back up in the service line into the main if no usage were occurring. Installation of backflow prevention devices or certain plumbing appurtenances (pressure reducing valves) at the service connection or within the consumer's water supply system prevent thermally expanded water from flowing from the premises into the distribution system. When the water heater is operating, water is expanding and pressure is increasing, thermal expansion in a closed plumbing system under no flow conditions may cause the emergency temperature and pressure relief valve to open and close frequently and may reduce the life of plumbing fixtures and piping.

(B) (1) The temperature and pressure (T & P) relief valve is an emergency relief valve, not an operating control valve.

(2) If the T & P relief valve is used frequently, its useful life will be shortened and it could cease to function.

(C) Thermal expansion can cause damaging stress and strain to water heaters, solenoid valves, O-rings, float valves, pump seals, and plumbing fixtures or fittings.

(D) Generally, 80 psi for a short period of time is the maximum pressure under no flow conditions most fixtures, appliances or appurtenances should be subjected to.

(E) Where thermal expansion is a problem the following devices could be installed:

- (1) A bladder or diaphragm type expansion tank;
- (2) An auxiliary pressure relief valve; or
- (3) An anti-siphon ball cock with auxiliary relief valve into the toilet tank set at no more than 80 psi.

(F) Installation should be in strict accordance with the manufacturer's instructions, the Uniform Statewide Building Code and the National Sanitation Foundation.

(G) Customers will be advised of the potential for thermal expansion prior to or during installation of a backflow prevention device. Solutions to thermal expansion will be at the discretion of the consumer's water supply system owner and at the expense of the consumer's water supply system owner. (Ord. 23, passed 4-21-1998)

§ 54.076 APPENDIX A.

(A) Isolation device application.

<i>Degree of Hazard</i>	<i>Method of Backflow</i>	<i>Device</i>	<i>ASSE#</i>
High	BP or BS	RPZ	1013
		AVB	1019
		HBVB	1011

<i>Degree of Hazard</i>	<i>Method of Backflow</i>	<i>Device</i>	<i>ASSE#</i>
High	BS only	Hydrant with AVB	1019
		PVB	1020
Moderate	BP or BS	DG-DC	1015
Low	BS only	Dual Check:	
		without vent	1024
		with vent	1012

(B) Notes.

Degree of Hazard - See Table 1 - Determination of Degree of Hazard in the chapter	
BS	backflow by backsiphonage
BP	backflow by backpressure or superior pressure
RPZ	a reduced pressure principal backflow prevention device
AVB	an atmospheric vacuum breaker
PVB	a pressure vacuum breaker
HBVB	a hose bib type atmospheric vacuum breaker
Hydrant	a through the wall frost proof type hydrant
DG-DC	a double gate-double check valve assembly
Dual Check without a vent means a device composed of 2 independently acting check valves (residential dual check)	
Dual check with a vent means a device composed of 2 independently acting check valves with an intermediate atmospheric vent (boiler dual check)	

(C) Information.

(1) Air gaps and physical disconnection give the highest degree of protection and should be used whenever practical to do so in high hazard situations subject to backpressure.

(2) AVB and HBVB should not be pressurized or subjected to continuous flow for more than 12 consecutive hours in normal operation.

(3) Yard hydrants, which are frost, proof and drain the water in the barrel when not in use will not drain automatically when fitted with a HBVB.

(4) Yard hydrants which drain through an underground weephole are subject to contamination and should not be used without adequate protection in areas subject to high groundwater, areas subject to flooding, or areas where surface water ponds.
(Ord. 23, passed 4-21-1998)

§ 54.998 VIOLATIONS.

(A) *Violations; enforcement.* It shall be unlawful for any customer to do any of the following and upon evidence that any of these violations have been committed, the Town Manager may immediately suspend service to that customer and upon his or her decision, may declare the suspension to be a permanent ban in order to protect the public water supply. The Town Manager may also, at his or her deciding, seek relief in any court from any action taken by a customer against the town as a provider of water and sewer service.

(B) *Violations a misdemeanor.* Any person violating any of these provisions shall be guilty of a Class I misdemeanor. Each day of any such violation or failure to comply shall constitute a separate offense.

(C) Unlawful acts.

(1) Introduce any ferrule or other fixture or device into any pipe of the water system, or to construct or lay down any pipe or other works for the purpose of introducing water into any structure or lot, or break up any street, land or alley or road of the town, state, or any other party for the purpose of constructing or laying down any such pipe or works.

(2) Deposit any offensive matter, stick, mud, rock, rubbish, debris or any like product in any reservoir, or remove, injure, open any pipe, fire plug, hydrant, meter, or to tamper with a water meter, meter box, or to use or cause to be used any device whatsoever so as to injure the same, or to prevent or to interrupt the proper/accurate registering of the quantity of water used.

(3) Make any additions to, or alterations of, any fixture used in connection with that water system on the town side of the meter.

(4) Cut on the water service previously disconnected for nonpayment of charges or penalties.

(5) Divert or cause to divert water from the system or otherwise use water without paying the proper charge therefor.

(6) Move into or occupy any property served with water and/or sewer without first making proper application for such service.

(7) Water must be turned on by an employee of the town or someone authorized to do so by the town. Customer shall not turn water on.

(8) Vacate property served with water and/or sewer without notifying the Utilities Department in the Town Hall and paying all charges for water and/or sewer services then outstanding.

(9) No matter, other than sanitary sewage, shall be introduced into sewer system. No roof gutters or other storm water drainage systems may be so connected. It shall be unlawful to break, injure, mark, deface, remove, interfere with or in any manner disturb any sewer line, manhole, building, or any part thereof, including all laterals, mains, pumping stations or privately owned service lines, or to commit any act tending to obstruct or impair the intended use of the system.

(Ord. passed 9-18-2007) Penalty, see § 10.99

CHAPTER 55: DROUGHT RESPONSE

Section

- 55.01 Short title
- 55.02 Purpose
- 55.03 Scope
- 55.04 Drought response plan
- 55.05 Drought indicators
- 55.06 Drought stages
- 55.07 Declaration
- 55.08 Drought stage responses
- 55.09 Waiver of restrictions

- 55.99 Penalty

§ 55.01 SHORT TITLE.

This chapter shall be known and may be cited as the Lake Country Regional Drought Response Ordinance.
(Ord. passed 6-21-2011)

§ 55.02 PURPOSE.

The purpose of this chapter is to provide for the voluntary and mandatory restriction of use of the town's public water system during declared water shortages or water emergencies.
(Ord. passed 6-21-2011)

§ 55.03 SCOPE.

This chapter shall apply to all town residents and businesses, which are served by the public water system.
(Ord. passed 6-21-2011)

§ 55.04 DROUGHT RESPONSE PLAN.

The Town Council shall adopt by resolution the Lake Country Regional Water Supply Plan, which includes the Lake Country Regional Drought Response and Contingency Plan.
(Ord. passed 6-21-2011)

§ 55.05 DROUGHT INDICATORS.

Upon determination that drought indicator(s) exceed the threshold of a drought stage, as set forth in Lake Country Regional Drought Response and Contingency Plan as outlined in Chapter 7 and Section B and Section C of the Lake Country Regional Water Supply Plan, the Town Council may declare a specific drought stage.
(Ord. passed 6-21-2011)

§ 55.06 DROUGHT STAGES.

The drought stages shall be drought watch, drought warning, and drought emergency, as determined by the Town Council, pursuant to the Lake Country Regional Drought Response and Contingency Plan and State Water Control Board regulation 9 VAC 25-120.
(Ord. passed 6-21-2011)

§ 55.07 DECLARATION.

Upon notification to the Town Council that a drought stage exists, as defined in this chapter, the Council may issue a declaration of a drought stage.

The town may declare a drought stage in the absence of a declaration by the commonwealth.

(Ord. passed 6-21-2011)

§ 55.08 DROUGHT STAGE RESPONSES.

Upon declaration by the Town Council of a drought watch or drought warning, voluntary conservation measures will be requested of residents and businesses as set forth in the Lake Country Regional Drought Response and Contingency Plan. Upon declaration of a drought emergency, mandatory restrictions shall apply as set forth in the Plan.

(Ord. passed 6-21-2011)

§ 55.09 WAIVER OF RESTRICTIONS.

Upon prior written request by an individual, business, or other water user, the Town Council, or its designee, may permit less than full compliance with any drought restrictions if good cause can be shown, including evidence that the applicant is affected in a substantial manner not common to other businesses or persons generally. No waiver shall be granted by the Town Council or its designee unless the Council or its designee determines that the public health, safety, and welfare will not be adversely affected by the waiver. All waivers granted by the Council or its designee shall be reported at the Council's next regular or special meeting.

(Ord. passed 6-21-2011)

§ 55.99 PENALTY.

Any violation of this chapter shall constitute a misdemeanor, punishable by a fine of not less than \$100 and not more than \$500. Each act or each day's continuation of the violation shall be considered a separate offense.

(Ord. passed 6-21-2011)