

# **SOUTH CAMDEN WATER AND SEWER DISTRICT**

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State Law References - Authority of District to establish, maintain, etc., G. S. 162A-88.

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<sup>1</sup> First set of "Rules and Regulations" adopted by SCWSD Board on May 20, 1996; Major revision approved on October 5, 1998.

Section 1. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

**Building** means any form or arrangement of a building or construction materials involving the necessity or precaution of providing support, bracing, tying, anchoring or other protection against the pressure of the elements. *(Amended: 10-5-1998)*

**Service Connection** means that part of the water line which runs from the main to the meter or property line, whichever is farthest from the main, including the meter and all appurtenances to make the service complete and ready for use. *(Amended: 10-5-1998)*

**Board of Directors** means the Board of Commissioners of Camden County, North Carolina. *(Amended: 10-5-1998)*

**Consumer** means the person legally or equitably responsible for the payment of charges for water or sewer rent on any premises.

**Easement** means an acquired legal right for the specific use of land owned by others.

**Improved Street** means any street having a wearing surface of concrete, brick, stone brick, asphalt, or any bituminous compound.

<sup>2</sup>**Main** means the water pipe, usually laid in a street running parallel to the property line, which distributes water.

**Meter** means the meter, box, box, yoke, valves, and other meter setting connections. *(Amended: 10-5-1998)*

**Occupant** means the person who is actually in possession or control of any premises. *(Amended: 10-5-1998)*

**Owner** means the person having legal or equitable title to any premises.

**Person** means an individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization or other entity acting as a unit. *(Amended: 10-5-1998)*

**Premises** means land, building, or other structure and appurtenances thereto.

**Service line** means a water line which may service a house, business, apartments, etc., which runs from the street to the establishment being served.

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<sup>2</sup> The definition of "Lateral" was deleted on October 5, 1998.

**Superintendent** means the county manager, or his authorized deputy, agent or representative. *(Amended: 10-5-1998)*

**Usual conditions** means delays in acquiring materials, parts and/or supplies, rock encountered in construction and other items which might cause delays not under the control of the District.

Section 2. Districts responsibility and liability.

(a) The District shall run a service connection from its main to the property line where the main runs immediately adjacent and parallel to the property to be served, and for which a tap-on fee, fee in lieu of assessment and acreage charge then in effect for each size of meter will be charged. *(Amended: 10-5-1998)*

(b) The District may install its meter at the property line or, at the District's option, on the consumer's property or in a location mutually agreed upon.

(c) When two or more meters are to be installed on the same premises for different consumers, they shall be closely grouped and each clearly designated to which consumer it applies.

(d) The District does not assume the responsibility of inspecting the consumer's service line, piping or apparatus. *(Amended: 10-5-1998)*

(e) The District reserves the right to refuse service unless the consumer's lines or piping are installed in such manner as to comply with all applicable building codes and to prevent cross connections and backflow. *(Amended: 10-5-1998)*

(f) The District shall not be liable for damage of any kind whatsoever resulting from water or the use of water on the consumer's premises.

(g) Under normal conditions, the consumer will, if reasonably practicable, be notified of any anticipated interruption of service. *(Amended: 10-5-1998)*

(h) The superintendent is authorized to interpret any rule or regulation of the District, and he shall be the person responsible for administration of the District. He shall supervise all employees of the District. He shall be responsible for the employment, management, discipline, and termination of all employees in accordance with the budget, personnel policy and other rules of the District. *(Amended: 10-5-1998)*

(i) Except for those employees of the District who are covered by a personnel policy adopted by the board of directors, any aggrieved person may appeal any decision of the superintendent to the District board of directors. Any appeal must be made within ten (10) calendar days of the superintendent's decision. Such appeal shall be in writing, addressed to the chairman of the board of directors with a copy sent to the superintendent. An appeal submitted pursuant to these rules shall stay the decision of the superintendent

pending action by the board of directors. Any amount due to the District and involved in an appeal shall accrue interest at the rate of one and one-half percent (1.5%) per month and shall be due and payable following a decision of the board of directors on the appeal . Not less than ten (10) days after receiving the appeal, the chairman of the board shall place the matter on the agenda of the next regularly scheduled board meeting and shall notify in writing the appellant and the superintendent of the date, time, and location of the meeting when the appeal will be taken up by the board. After providing the opportunity to hear testimony and receive evidence from the appellant and the superintendent and after having discussion and consideration of the appeal, the board may affirm, reverse or modify the decision of the superintendent. The board is authorized to delay any decision on the appeal in order to obtain more information or for any other matter that, in the sole discretion of the board, will aid them in rendering a decision. Any decision by the board shall be final, shall be in writing, and shall be mailed to the appellant and to the superintendent. *(Amended: 10-5-1998)*

(j) The superintendent may take such actions as are necessary for the enforcement of these rules, including but not limited to the termination or suspension of service, collection of amounts due, and payment of amounts owed. The superintendent may retain counsel, collection agencies, and other persons not employed by the District who he feels are needed for the enforcement of these rules. The superintendent shall report in writing to the board whenever he has retained counsel, collection agencies, and other persons not employed by the District. *(Amended: 10-5-1998)*

### Section 3. Access to premises.

Duly authorized agents, including but not limited to the superintendent and all employees, of the District shall have access at all reasonable hours to the premises of the consumer for the purpose of installing or removing District property, inspecting water piping, reading or testing meters, or for any other purpose in connection with the District's service and facilities. *(Amended: 10-5-1998)*

### Section 4. Consumer's responsibility.

(a) Water piping on the consumer's premises must be arranged so that the connections are conveniently located with respect to the District's lines or mains.

(b) If the consumer's piping on the consumer's premises is arranged so that the District is called upon to provide additional meters, each place of metering will be considered as a separate and individual account and the consumer shall be responsible for paying all applicable fees and charges for each meter. *(Amended: 10-5-1998)*

(c) Where a meter is placed on the premises of a consumer, a suitable place shall be provided by the consumer for placing the meter, unobstructed and accessible at all times to the District, including but not limited to the meter reader. *(Amended: 10-5-1998)*

(d) The consumer shall furnish and maintain the service line with a cut-off valve on the consumer's side of the meter; the District shall provide the service on the District's side of the meter.

(e) The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense in a safe and efficient manner and in accordance with the District's rules and regulations and in full compliance with all applicable building codes and the sanitary regulations of the state board of health. *(Amended: 10-5-1998)*

(f) The consumer shall guarantee property protection for the District's property placed on the consumer's premises and shall permit access to it only by authorized representatives of the District, including but not limited to the superintendent and all employees. *(Amended: 10-5-1998)*

(g) If any loss or damage to the property of the District or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the consumer, his agents, or employees, the cost of the necessary repairs or replacements shall be paid by the consumer to the District, and any liability otherwise resulting shall be assumed by the consumer.

#### Section 5. Quality, quantity, pressure of water supply.

(a) The District does not guarantee the quality, quantity or pressure of its water supply. It is hereby made a portion of the terms on which the District furnishes water to consumers that the District shall in no case be liable to any consumer or person for any defect in quality or any deficiency in quantity or pressure, that the District shall not be liable to any consumer or person for damages resulting from the complete or partial cutting off of water, and that no deduction shall be made from any water bill by reason of any such defect or deficiency. *(Amended: 10-5-1998)*

(b) In every case where practicable, ample notice by the best means available shall be given when the water is to be cut off from any portion of the District. Neither the superintendent nor any District employee shall take responsibility for telling a property owner, person, or occupant how best to care for his boiler, heater or other equipment which is affected by the discontinuance, either temporary or permanent, of his water supply. The owner or occupant shall be entirely responsible for his equipment and shall hold the District in no way responsible for damage to his equipment. *(Amended: 10-5-1998)*

#### Section 6. Contamination of water supply prohibited.

No person shall contaminate any portion of the District's water supply whether the water is in a reservoir, tank or pipe.

Section 7. Connection to other than District supply.

No part of the District's water system shall be connected to any source of water supply other than the District's. If, on any premises, both District water and water from any other source are used, the piping shall be completely separate.

Section 8. Installation of water laterals.

Service connections will be installed only at the request of the property owner or his agent or at the discretion of the District. When the service connection terminates at the property line, the meter shall not be set and the service connection shall not be used until the owner of the property or his agent applies for service. *(Amended: 10-5-1998)*

Section 9. Construction of water laterals, setting of meters.

The construction of service connections within a street right-of-way and the setting of meters shall be the responsibility of the District. The construction of such service connections or the setting of such meters shall be done only after the written application therefore has been approved. The only exception to this provision will be when service connection and meters are installed by the developer's contractor in new subdivisions in compliance with these rules and regulations. In this case, the meter will be installed by the District at the time application is made for service. *(Amended: 10-5-1998)*

Section 10. Tap-on fees.

If service connections are installed by the District or District's contractor, the tap-on fees shall be paid by the consumer. All connections are subject to the fee schedule which shall be established from time to time by the South Camden Water and Sewer District Board, or its designees. *(Amended: 10-5-1998)*

Section 11. Service procedures.

(a) Water service will be supplied only to those who apply and are approved by the superintendent. *(Amended: 10-5-1998)*

(b) Users will make application for service, in person, at the designated office of the District. Occupants who are not owners shall make the deposit guarantee required below. At a minimum, each applicant for service shall supply his name, mailing address, property address, social security number or tax identification number, and any other information required by the superintendent. The consumer shall be responsible to update this information as it may change. The superintendent may refuse to provide water service or refuse to continue providing water service if any information required under this section is found to be incomplete or incorrect. *(Amended: 10-5-1998)*

(c) The superintendent may reject any application for service not available under a

standard rate or which involves excessive service cost, or which may affect the supply of service to other customers or for other good and sufficient reasons. *(Amended: 10-5-1998)*

(d) The superintendent may reject any application for service when the applicant is delinquent in payment of bills incurred for service previously supplied at any location within the county.

(e) The applicant in which name the deposit is made shall be responsible for payment of all bills incurred in connection with the service furnished.

(f) All consumers who are not owners of the property receiving water service will pay to the District a minimum cash deposit as established by the District. A separate deposit is required for each meter and/or service connection requested. The deposit is not negotiable and can be redeemed only at the designated District office. The deposit is required by the rules and regulations and any part remaining thereof will be refunded upon payment of the final bill and final accounting as provided by section 13 (d). *(Amended: 10-5-1998)*

#### Section 12. Classifications of service.

Water services may be classified under one of or more categories. The rate schedule for each category will be established from time to time by the South Camden Water and Sewer District Board or its designees. *(Amended: 10-5-1998)*

#### Section 13. Separate water connections and meters required.

(a) Each dwelling unit or business shall have a separate water meter. A separate cutoff shall be provided for each meter. A home occupation shall not be required to have a separate water meter but the owner may apply for and receive a separate meter upon approval of the superintendent and after payment of the tap-on fee is paid. *(Amended: 10-5-1998)*

(b) Mobile home park owners requesting that the District run lines in their mobile home parks and place meters at individual mobile home park sites will be required to pay for the main line into the mobile home park. Each space for a mobile home shall have a separate service connection. The current tap-on fee will be required for each mobile home space in the park. *(Amended: 10-5-1998)*

(c) A deposit will be required of each rental dwelling unit. The deposit shall be paid by the consumer or other person applying for service. The deposit will be returned to the depositor upon timely payment of twelve (12) consecutive water billings. *(Amended: 10-5-1998)*

(d) A mobile home park owner will be responsible for paying the minimum rate on all vacant mobile home park sites. The mobile home park owner will be responsible

for the minimum monthly charge for all vacant lots until such time as the charge for liquidated damages has been paid in full. In cases where the park owner does not make a payment for the minimum monthly rate, connection or reconnection of water service for the vacant lots may be denied by the District until payment in full is made for the outstanding amount for the monthly minimum rate during the period of vacancy. *(Amended: 10-5-1998)*

(f) The mobile home park owner will be responsible for the liquidated damages clause in the water users agreement except in the case of any act of God rendering the mobile home park property unfit for use as a mobile home park. *(Amended: 10-5-1998)*

#### Section 14. Application for service.

(a) Every applicant for water service shall list, on forms provided by the District, the property owner, the applicant's name, the street or road on which the lot is located, the number of all types of fixtures planned in the building now and proposed for the future, the distance from the property line where service comes from the street to the furthestmost point of the building as planned, and the name of the plumber who will do the work. This application shall be filed not less than ten (10) days before the proposed connection is desired. Unusual conditions may be just cause for additional time in providing the services required. When the size of the service and the cost of the connection has been determined, the applicant shall deposit the previously determined cost and shall be issued a permit for the desired connection. The District shall have no responsibility for the design of a sprinkler or other fire protection system. Application for a connection to serve such a system shall be made exactly as outlined above except that the size of the connection desired shall be placed upon the application and installation shall be made subject to securing required parts and materials. *(Amended: 10-5-1998)*

(b) The application shall state that any person receiving service provided by the District is subject to these rules as they may be at the time of application or amended thereafter. The application shall further state that any person receiving service from the District is subject to these rules as they may be at the time of application or amended thereafter. *(Amended: 10-5-1998)*

#### Section 15. Disapproval of application.

(a) The superintendent may disapprove any application if the applicant has previously not complied with the rules of the District or if, in the opinion of the superintendent, the applicant is likely to violate the rules of the District. *(Amended: 10-5-1998)*

(b) If, in the opinion of the superintendent, the water connection applied for will be of such size or character as to put too great a demand on any part of the system and disrupt the District's water service (500 gallons per minute at 20 pounds per square inch residual plus normal service requirements), he shall disapprove the application until



such time as adequate means are provided by the applicant to eliminate the unsatisfactory condition. If, at any time, changes are made by a consumer in his service requirements so as to create an unsatisfactory condition in the District's water service, the superintendent shall require the consumer to adopt remedial measures to eliminate the unsatisfactory condition. The District shall in no way be responsible for any cost or inconvenience caused by a change in service requirements after an application has been approved or by an installation before the application has been approved.

Section 16. Master meter connection fee.

The master meter connection fee shall consist of a tap-on fee, the cost of materials and installation, plus 20 percent. *(Amended: 10-5-1998)*

Section 17. Connections and meters to remain property of District.

All water meters, boxes, pipes and other equipment furnished and installed by the District in a water connection shall remain the property of the District. If, after an installation is completed, the property owner requests that a meter or service connection be changed in size and this request is approved by the superintendent, the property owner shall pay for the change of service connection as though it were a new connection and shall pay or be refunded the difference of the cost of meters in the original and new installations according to the current price of the two meters. *(Amended: 10-5-1998)*

Section 18. Maintenance of meters and connections.

All meters and service connections shall be maintained by the District. *(Amended: 10-5-1998)*

Section 19. Tampering with meters and stopcocks.

(a) No person, except a duly authorized employee of the District or its designee, shall turn the stopcock installed in each water meter box nor shall any person construct or have constructed any bypass around any meter except as may be installed and sealed by the District. The fact that water is turned on at any premises by an occupant of the premises without the prior knowledge of either the District or the owner shall not relieve the premises of liability for the unauthorized use of water. The superintendent is authorized to terminate or suspend service for any violation of this section. *(Amended: 10-5-1998)*

(b) The District water system will hold responsible the water user/customer for any damage to the water system's metering equipment including payment of costs incurred to repair the damage. Violators will be penalized pursuant to N.C.G.S. 14-151.1.

Section 20. Reading meters.

Water charges shall commence on the date that the meter is installed. All water

meters on the District water system shall be read monthly thereafter.

Section 21. Rates; Initial or minimum charges.

(a) This Board of Directors shall from time to time establish rates for providing water service. These rates shall be used in computing that portion of customer bills for water service provided. *(Amended: 10-5-1998)*

(b) The initial or minimum charge, as provided in the rate schedule, shall be made for each water meter installed, regardless location. Each meter requires a separate meter account, and each meter account shall cover a separate and individual account. *(Amended: 10-5-1998)*

(c) <sup>3</sup> Water furnished for a given lot shall be used on that lot only. Each consumer's service must be separately metered at a single delivery and metering point. Each commercial unit and each storeroom or stall used for business purposes shall have a separate meter.

Section 22. Liquidated damages.

This section shall not apply to any person making application for water service on or after September 1, 1998. Users of the District water system who are being served under the initial water users agreement sign-up and by payment of a hookup charge of less than \$500.00 are subject to payment of a liquidated damage fee. This fee is applicable to all individuals who refuse water service or terminate water service before either making a one-time payment of \$500.00 or making a total of \$500.00 in payments through the minimum monthly billing. The minimum monthly billing requires 42 consecutive months of payments to pay off the obligation for the liquidated damages fee. *(Amended: 10-5-1998)*

Section 23. Meter tests.

Any consumer may have his water meter tested upon payment of the current fee in advance. If the consumption shown on the meter in question is greater than twice the average consumption for the preceding six months, the fee for testing the meter shall be waived. Since the most accurate water meters suitable for general use require a margin of approximately 2-1/2 percent (2.5%) for error, any meter which shows upon test an error not greater than 2-1/2 percent (2.5%) shall not be considered defective. If the meter is found to be over registering in excess of 2-1/2 percent (2.5%) , refund shall be made in accordance with section 35.(1), and the deposit paid for the test shall be refunded. *(Amended: 10-5-1998)*

Section 24. Oversized meters.

On all meters above three-fourths inch, the customer must have installed a

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<sup>3</sup> A former subsection 21.(c) was deleted on 11-3-1998.

checkvalve to be equipped with two spring-loaded valves to be installed no further than five feet from the meter. The spring-loaded checkvalves are to be installed under the supervision of the superintendent, and are to be approved by the superintendent. The customer shall pay the cost of materials and meter plus maintenance. *(Amended: 10-5-1998)*

Section 25. Water service for vacant lots.

With the exception of new subdivisions, service connections, meter boxes, meter yokes and meters will be installed on vacant lots only when the property or lot owner has signed a water user's agreement with the District, has paid all required fees, and has requested installation of the meter. *(Amended: 10-5-1998)*

Section 26. Change of occupancy.

(a) Not less than three (3) days notice must be given in person or in writing, at the District's office, to discontinue water service for a change of occupancy. *(Amended: 10-5-1998)*

(c) The outgoing party shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longest.

(d) A reconnection fee shall be charged.

Section 27. Billing and reconnections.

(a) All bills for the District water system must be paid at the water department office at the county courthouse, or at any other place so designated by the superintendent, on or before the date that the bill is due, or a late penalty charge will be assessed. *(Amended: 10-5-1998)*

(b) Late payment penalty.

(1) All District water bills are due upon presentation. A late payment penalty or charge will be established from time to time by the District and the penalty or charge will be added to a customer's bill when payment is received after the due date of that bill. The due date shall be the tenth of the month following the date of the bill, or as otherwise established by the superintendent. In any billing month, if the previous month's bill has not been paid, the customer's water service will be turned off prior to the first of the following month. When water service is turned off for nonpayment of a bill, the total amount owed must be paid in full plus an appropriate reconnection fee before water service will be restored. Any payment to restore water service after service has been disconnected pursuant to any provision of these rules shall be in cash, certified check, cashier's check, or money order. *(Amended: 10-5-1998)*

(2) The District water system will accept all payments received in the

Monday mail, following the Friday date that bills are due, as being paid on time and not subject to late payment penalties. All bills received in the mail on Monday will be counted as on time, regardless of the postmark on those bills that were due on the previous Friday.

(3) No person, other than the superintendent, shall remove or break a lock placed upon a meter by the superintendent or other agent acting on behalf of the District. If a lock has been broken or otherwise removed, the account shall be subject to a \$50.00 fee and water service shall be discontinued. *(Amended: 10-5-1998)*

(c) A fee for the reconnection and turn-on of any meter for water service shall be charged. This policy concerning turn-on and reconnection is applicable for all new and existing customers of the District water system and will apply to all situations in which an individual is disconnected from water service. Any water user who applies for water service and whose previous indebtedness has not been paid off will be required to deposit with the water system an amount equal to three months billing of the user's previous water usage. *(Amended: 10-5-1998)*

(d) The District water system will charge the current fee to any customer on a check or other item returned to the District water system due to insufficient funds. The returned check charge will be collected in the same manner as the reconnection service charge is administered. Any customer who presents as payment a check or other item returned due to insufficient funds shall, as determined by the superintendent, be subject to immediate disconnection of water service. Such service shall not be restored until full payment is made by means of cash, certified check, or money order. *(Amended: 10-5-1998)*

(e) In the event any water service is discontinued pursuant to this section, the charge for any water consumed or the minimum standby service charge, whichever is greater, shall continue to apply. *(Amended: 10-5-1998)*

#### Section 28. Suspension of service.

(a) When water service is discontinued and all amounts due to the District have been paid, the deposit set out in section 13(c) will be refunded in accordance with this chapter. *(Amended: 10-5-1998)*

(b) Upon discontinuance of service for nonpayment of bills the deposit set out in section 13(c) will be applied by the District toward settlement of the account. Any balance will be refunded to the consumer upon written request by the consumer. If the deposit is not sufficient to cover the bill, the superintendent may act as agent for the District and proceed to collect the balance in the any way provided by law for the collection of debts.

(c) Service discontinued for nonpayment of bills will be restored only after bills are paid in full by cash, certified check or money order, redeposit is made, if applicable,

and the required service charge is paid for the reconnection. *(Amended: 10-5-1998)*

(d) The District reserves the right to discontinue its service for the following additional reasons:

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

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

(f) Water bills will be rendered on each connection of the system whether water is used or not in compliance with this chapter.

Section 29. Fire protection charges.

(a) Schedule of charges. The schedule of fire protection charges is not printed in this section but is set from time to time by the District Board. *(Amended: 10-5-1998)*

(b) The policy concerning the installation of additional fire hydrants by individuals, groups, or businesses on existing water lines will be as follows: *(Amended: 10-5-1998)*

- (1) Upon request, the District water system will install additional fire hydrants on existing water lines. The fire hydrants will be located as close as practicable to the location requested by the individual, group, or business. The cost of the fire hydrant must be paid prior to any work or installation of the hydrant. The cost of the hydrant will be the actual cost to the District water system including the labor to complete the installation.

Section 30. Trailer parks.

(a) All trailer parks requesting water service from the District water system will

be served as a subdivision. *(Amended: 10-5-1998)*

(a) Water service will be provided to each individual trailer lot after payment by the owner/developer for the line extension as described in Section 31 (a) and (b) and for a tap-on fee for each lot. Each trailer tenant will pay to the District water system a rental pursuant to Section 13(c). *(Amended: 10-5-1998)*

### Section 31. Subdivisions.

(a) Prior to preliminary plat submission, the planning board or its authorized representative shall determine if District water services are to be made available for the proposed subdivision in accordance with the county's subdivision regulations and ordinances.

(1) If District water is not to be made available, the plans for construction of the proposed facilities or individual water supplies shall meet the standards of the county health department, and for systems serving ten (10) or more dwellings the plans shall meet the standards of the state. *(Amended: 10-5-1998)*

(2) If District water service is to be made available, the subdivider shall construct a water system and connect it to the system owned and operated by the District in accordance with the county's ordinances and subject to the following conditions: *(Amended: 10-5-1998)*

(a) Construction plans for the proposed system shall be prepared by a registered engineer with materials and construction to be in accordance with the specifications for the District water system as prepared by the District engineer, or its designee.

(b) Construction plans shall be submitted with the preliminary plat for approval by the county commissioners, District engineer and the appropriate state agencies. *(Amended: 10-5-1998)*

(c) The developer shall install the subdivision water system in accordance with the approved plans and shall include service taps to each lot with meter box, meter yoke, meter and cutoff valve.

(d) Upon completion of the construction, the developer will deed the complete facility, to include all rights-of-way, easements, permits, franchises and authorizations, or other instruments needed for the operation and maintenance of the facility, to the District. The District will not reimburse the developer for the construction.

(e) The District may require installation of certain oversized facilities such as water mains in excess of eight inches in diameter when it is in the interest of future development. The District shall pay for that portion of the improvement which exceeds the standards set forth in this chapter.

(f) Each lot owner shall pay the tap-on fee before the water meter is installed.  
*(Amended: 10-5-1998)*

(b) The following policy shall be applicable for extensions of District water mains and water systems connections to subdivisions not required to extend water lines; pursuant to the county ordinances, existing subdivisions or developed areas adjacent to or near a water line:

(1) Lines may be extended by application of the developer or owners of lots in the subdivision.

(2) The total cost of the installation including water mains and water connections, i.e., service connections, meter boxes, meter yokes and meters, will be computed in accordance with existing prices at the time of application. *(Amended: 10-5-1998)*

(3) The developer and/or lot owners shall advance to the District the entire cost of the installation and grant all rights-of-way, easements, authorizations or other instruments needed for the operation and maintenance of the facility.

(4) All construction and any cost reimbursement shall be evidenced by a signed contract between the District and the person advancing funds for the extension. The contract shall be null and void unless approved by the superintendent. *(Amended: 10-5-1998)*

(5) Each lot owner shall pay the tap-on fee before the water meter is installed.  
*(Amended: 10-5-1998)*

### Section 32. Temporary water service.

Portable water meters for connection to fire hydrants may be furnished by the District after an application and the current required deposit has been filed with the District. The actual deposit shall be as determined by the superintendent, but in no case shall the deposit exceed the minimum deposit as established pursuant to section 13(c), the cost of meter, materials and the installation cost of the meter. The applicant shall be responsible for any damage to the hydrant, meter, connections, etc., used in the installation and the cost of any such damage shall be taken from the deposit. The minimum charge shall be paid for a temporary meter in addition to the cost of the water used through the meter. After deducting the water bill, service charge and any cost of damage to the installation, the District shall refund the balance of the deposit to the applicant as soon as the meter is removed and returned to the District stock. While in use, no wrench shall be used on the hydrant except a hydrant wrench furnished by the superintendent. If scarred by unauthorized methods, the cost of materials and labor to repair shall be charged to the person responsible. *(Amended: 10-5-1998)*

Section 33. Services outside present area of water lines.

Should any person desire water service for property not served by the District's water lines, an agreement or contract may be entered into with the District, whereby the lines would be constructed and deeded to the District by those desiring the service. (Amended: 10-5-1998)

Section 34. Complaints; adjustments.

(a) If a consumer believes his water bill to be in error, he shall present his claim, in person, at the District's designated office before the bill becomes delinquent. The claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as provided in this chapter. The consumer may pay a bill under protest, and the payment shall not prejudice his claim.

(b) The District will make special meter readings at the request of the consumer for the current fee; provided, however, that if a special reading discloses that the meter was overread, or in error in any way, the special meter reading fee will be refunded. (Amended: 10-5-1998)

(c) If the seal of the meter is broken, or if the meter fails to register correctly, or is stopped for any cause, the consumer shall pay pursuant to section 35 (1). No modification of rates or any of the rules and regulations shall be made by any employee of the District, except in accordance with these rules and regulations. (Amended: 10-5-1998)

Section 35. Adjustment of overcharges.

The superintendent shall have the authority to adjust any water bill after determining that the water bill is excessive, upon the following conditions:

(1) If the cause is not a defect in a water meter, the water bill may be reduced by an amount not to exceed 50 percent of the amount by which the current bill exceeds 1-1/2 times the average water bill for the preceding three months. (Amended: 10-5-1998)

(2) If the cause is of an undetermined origin, and it does not appear upon investigation that the occupants of the premises served were in any way at fault for the excessive water bill, the adjusted bill shall be calculated the same as in subsection (1) of this section.

(3) All metered water lost due to negligence on the part of the user will be charged at the normal rate, and no adjustment of the bill shall be made.

(4) An adjustment for a leak in the service lateral or other piping apparatus or fixtures of the customer will be made once in a twelve month period (from date of adjustment). (Amended: 10-5-1998)