

**WEAVERVILLE WATER
POLICIES AND PROCEDURES**

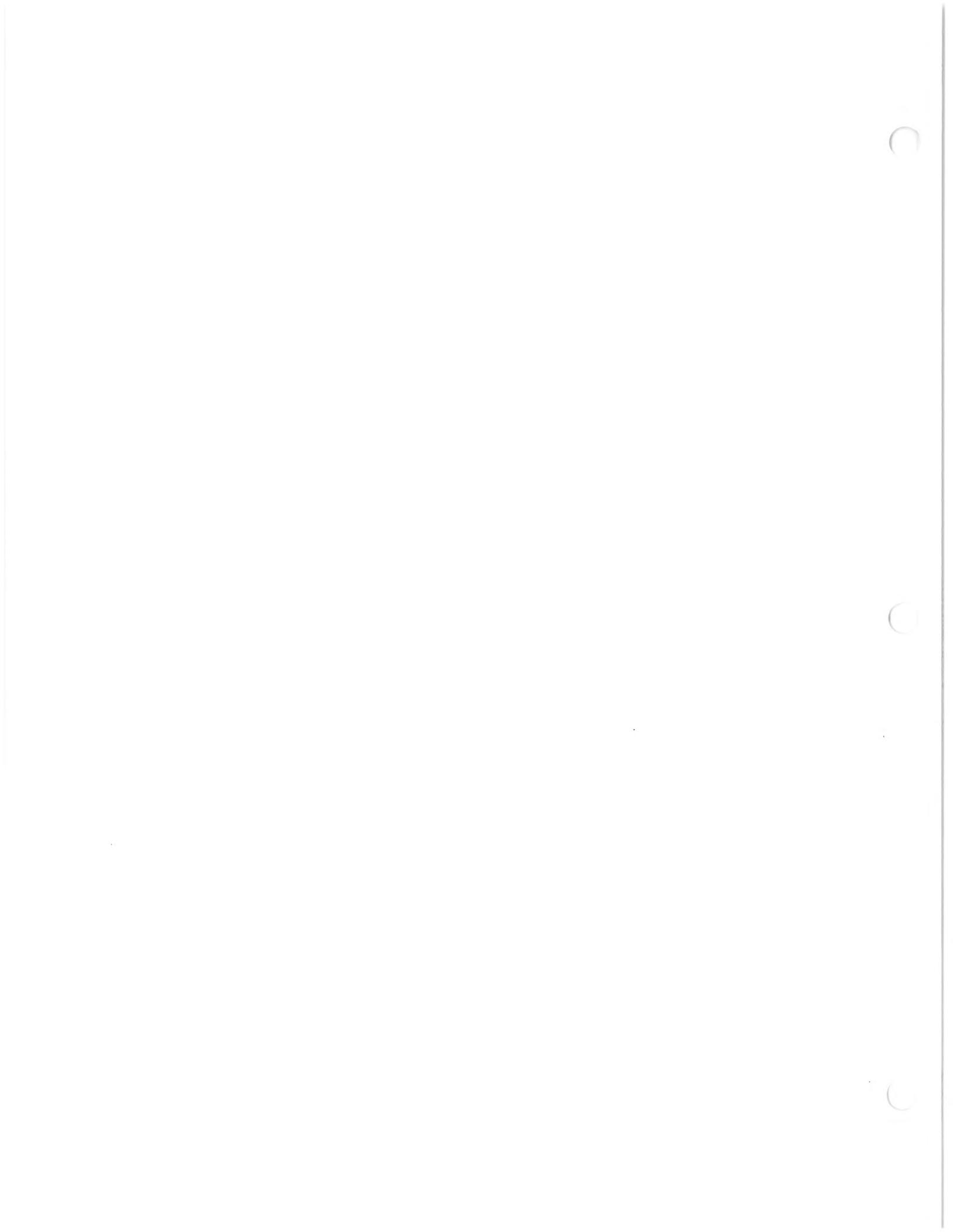
TOWN OF WEAVERVILLE, NORTH CAROLINA

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**WEAVERVILLE WATER POLICIES
AND PROCEDURES**

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ARTICLE 1

GENERAL

SECTION 1 - GENERAL PROVISIONS

1.1.1 - Purpose

The purpose of this document is to state the policies and procedures for the water system owned by the Town of Weaverville, North Carolina.

1.1.2 - Effective Date

The effective date of these policies and procedures is AUGUST 18, 2008. These policies and procedures supercede all former ordinances, policies, procedures, rules and regulations previously informally in effect or formally adopted by the Town Council.

1.1.3 - Severability

If any provision of these policies or procedures or the application thereof to any Customer or circumstance is held invalid, such invalidity shall not affect any other provisions or applications stated herein.

1.1.4 - Power - General

The Town Council is vested with and shall exercise all powers granted the Town by the North Carolina General Statutes and the Town Charter with respect to the supervision, regulation and control over the System including the power and authority to determine extension policies; meet the needs to expand the System to enable the Town to meet its annexation obligations; fix and revise rents, rates, fees, assessments and other charges for the use of the System's services and facilities; acquire, lease, construct, improve maintain and operate the System; acquire in the name of the Town any real or personal property as it may deem necessary for the acquisition, improvement and maintenance of the System; make and enter into contracts and leases; receive and accept in the name of the Town any grant or contribution; and terminate service to any Customer for non-payment of charges or other violation of these Policies.

1.1.5 - Priorities

In allocating the System's resources the Town Council shall consider the following categories:

- a. The capacity of the System;
- b. Public health and safety;
- c. Orderly growth;
- d. Environmental conditions;

- e. Capital improvement plans;
- f. Annexation plans;
- g. Master plans;
- h. Zoning;
- i. Fiscal impact on the Town; and
- j. Affect on service to existing Customers.

1.1.6 - Litigation

The Town shall institute and/or defend all litigation affecting its powers and duties that relate to said System and the property and rights connected therewith or incidental thereto. The Town Manager shall immediately report to the Town Council at its next regularly scheduled meeting if any legal process is served on the Town in a manner affecting the powers, duties, properties, or trusts of the Town.

1.1.7 - Limited Liability

The Town shall not be liable for any losses, injuries or damages related in any way to the System or the maintenance or operation thereof except for its affirmative negligence and then only to the extent of its insurance coverage or the extent set forth in Article 5 Section 5.4.

1.1.8 - Failure to Provide Service

The Town shall not be liable to Customers or any other person, firm or corporation for the failure to furnish service for any purpose or any conditions, or for the quantity, quality, pressure, rate or flow of the service furnished, or for any damage that may result from shutting off services even though no notice of shutting off the System shall have been given to the Customer, except those damages occurring in cases of affirmative negligence by the Town.

1.1.9 - Alterations, Amendments and Additions

These policies and procedures, including the rates, fees and charges, may be altered, amended or added to from time-to-time by a majority vote of the Town Council voting in formal session. The effective date of such action shall have the same force and effect as these policies.

1.1.10 - Exclusive Right

The Town Council reserves the exclusive right to approve or disapprove a request for service.

1.1.11 - Reports

The Town Manager shall submit reports to the Town Council containing the following information:

<u>Report</u>	<u>Frequency</u>
Claims as required in Article 5, Section 5.4	As Necessary
Contracts entered into in accordance with Article 5, Section 5.5	As Necessary
Progress report on contracts	As Necessary
Operations - Unaccounted for water use, gallons per day - high, low, etc.	As Necessary

1.1.12 - Standards

The Town Council shall set standards for design, location, materials and construction for System components to be served or to be a part of the Town System.

1.1.13 - Unauthorized Use

The right to use the System exists only under permit and approval, and no Extension or Connection to the Systems or to any privately or publicly owned extension thereof may be made or modified for any purpose unless a permit shall first have been obtained from the Town Manager authorizing the use for which such an Extension or Connection is to be made. An unauthorized Extension or Connection is unlawful and may result in the termination of service to the violator, as well as all other penalties, civil or criminal, as provided by law.

SECTION 1.2 - DEFINITIONS

As used in these policies and procedures, unless the context shall otherwise require, the words defined in this section shall have the meaning herein ascribed. Whenever the context shall admit or require, words used herein in the singular shall include the plural, words used in the plural shall include the singular, and words used in the masculine, feminine and neuter shall be interchangeable in use as appropriate.

Applicant: The person, firm or corporation applying for water service from the Town by Extension or Connection, who shall be the Customer or Developer or his duly authorized agent.

Application for Connection Permit: A written application requesting a new connection (tap) onto the water system. Such applications are to be approved by the Town Manager or Town Council prior to the Town accepting applicable connection fees (tapping fees, system development charges, depletion fees, etc.).

Application for Service: A written application requesting water service through an existing water connection or a new connection after an Connection Permit has been approved.

Connection: A physical tap onto the water system which effects water service.

Customer: The owner of the Licensed Premises or other person responsible for the payment of water bills for service at the Licensed Premises.

Developer: The owner of a development or his duly authorized agent.

Development: A parcel of land that is being developed to the extent that water service is desirable.

Extension: A construction, alteration, enlargement or expansion of water facilities required to service Customers according to the terms and conditions set forth herein.

Extension Agreement: An Agreement executed by the Town and the Applicant providing for the installation of an Extension.

GPD: Gallons per day.

GPM: Gallons per minute.

Licensed Premises: The approved location for which the Town has granted the delivery of Water Services.

Main: Pipe(s) owned by or to be owned by the Town used for the purpose of conveying water to Customer's service connections.

Mobile Home: A portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation.

Mobile Home Park: Any premises where Mobile Homes are parked for living and sleeping purposes, or any premises used or set apart for the purpose of Mobile Homes for living and sleeping purposes, and which include any buildings, structures, vehicles or enclosure used or intended for use as part of such Mobile Home Park.

Point of Connection: The location on the existing System where a new service, extension or connection is to be supplies. Looped extensions may have more than one point of connection.

Policies: Water Policies of the Town and all duly adopted amendments and additions thereto.

Service Line: The pipeline extending from any Main to the meter and meter box where located on the public right-of-way near the property line.

System: The water lines and facilities owned by the Town of Weaverville.

Town: The Town of Weaverville, North Carolina.

Town Manager: Manager of the Town of Weaverville, North Carolina or his designee.

Town Employee: An employee of the Town of Weaverville, North Carolina or a person, firm, corporation, or consultant under contract with the Town of Weaverville.

SECTION 1.3 - HEARING AND APPEAL PROCEDURES

1.3.1 - Applicable:

Hearing and appeal procedures established by this section shall apply to all complaints concerning the interpretation, application or enforcement of these Policies.

1.3.2 - Not Applicable:

The hearing and appeal procedures established by this section shall not apply to the following complaints:

- a. Complaints which arise with regard to personnel matters, which complaints shall be governed exclusively by the Town's Personnel Ordinance as the same may be amended from time to time; and
- b. Any other complaint which does not concern the interpretation, application, or enforcement of these Policies.

1.3.3 - Initial Complaint

- a. Presented to Town Manager: Complaints concerning the interpretation, application or enforcement of these Policies or procedures must be presented in writing to the Town Manager.
- b. Informal Resolution: Upon receipt of a complaint, the Town Manager, after a full and complete review of the allegations contained in the complaint, shall take such action as may be warranted and shall notify the complainant of the action taken by first class mail within thirty (30) days after receipt of the complaint. The Town Manager shall also notify the complainant of his right to appeal and the procedure for appeal. A copy of the Town Manager's response shall be delivered to the Town Council.

1.3.4 - Application for Hearing

In the event the decision of the Town Manager is deemed unsatisfactory by a complainant, a written request for a formal hearing may be submitted to the Town Council. Such request shall be submitted within thirty (30) days of the post mark of the decision of the Town Manager.

1.3.5 - Formal Hearing

Within thirty (30) days after receipt of the request by the Town Council, the Council shall conduct a hearing. In the event the complaint involves a proposed suspension for non-payment, the complainant shall be provided with a statement of their current account for the Licensed Premises within a reasonable period of time prior to the date set for hearing.

1.3.6 - Procedure for Hearing

At the hearing, the complainant and the Town Manager shall be permitted to appear in person. The complainant may be represented by any person of his choice or by legal counsel. The complainant or his representative and the Town Manager shall have the right to oppose any testimony or statement that may be relied upon in support of or in opposition to the complaint. The Town Council may receive and consider any evidence which has value commonly accepted by reasonable and prudent persons in the conduct of their affairs. The hearing shall be electronically recorded and preserved in the event of any legal appeal.

1.3.7 - Weight of Evidence

The Town Council shall determine whether reasonable grounds exist to support the interpretation, application or enforcement of the Policies which are complained of and, if such grounds exist, whether said interpretation, application or enforcement should be undertaken in the particular case, with due consideration for such extenuating circumstances as may exist. The Town Council decision shall be based upon evidence given at the hearing. The burden of showing that reasonable grounds exist to support the action shall be upon the Town Manager. The burden of showing sufficient extenuating circumstances shall be upon the complainant.

1.3.8 - Policies

The Town Council, while having the right to correct errors, interpret rules and regulations, make adjustments and otherwise do equity, shall not have the authority to alter or make any finding contrary to these Policies as the same may from time to time be constituted.

1.3.9 - Order

Subsequent to the hearing, the Town Council shall make written findings and an order disposing of the matter and shall provide the complainant with a copy of such decision by certified mail within thirty (30) days after the date of the decision.

ARTICLE 2

POLICIES AND PROCEDURES RELATING TO AVAILABILITY OF WATER AND EXTENSION OF SERVICES

SECTION 2.1 - AVAILABILITY OF SERVICE

2.1.1 - Prior written and verbal statements null and void

All written and verbal statements indicating the availability of service from the System which have been executed on behalf of the Town Council shall be null and void unless issued since February 19th, 1990.

2.1.2 - Request for Availability of Service for Single Family Dwelling.

Any person wishing to determine the availability of water for the purpose of serving a Single Family Dwelling (Home) may do so by completing an *APPLICATION FOR A NEW WATER TAP AND SERVICE CONNECTION , SINGLE FAMILY HOMES ONLY* as provided by the Water Department. The person completing the Application shall provide a plat or other description of the location to be served in adequate detail for the Water Department to determine if water service is available at the requested location. Completion of said Application shall be the first step in obtaining water service for Single Family Dwellings and processed prior to acceptance by the Town of applicable Tap and Capacity Depletion fees. Applicable Tap and Depletion Fees shall be paid within 30 days of the processing date of the Application by the Water Department. If applicable fees are not paid within said 30 days the Application shall be null and void and of no effect.

2.1.3 - Non-Binding

There shall be no charge assessed by the Town for processing the Application. However, such an Application does not constitute a commitment to reserve any amount of water for the Applicant's future use in the event that applicable Tap and Capacity Depletion Fees are not paid as provided for above.

SECTION 2.2 - COMMITMENT LETTER

2.2.1 - Application

Any Applicant desiring to reserve increased or new water service at a designated location owned or to be purchased by the Applicant may request a Commitment Letter from the Town as to the availability of service at the designated location.

All requests for Commitment Letters shall be in writing on such forms and in such detail as prescribed by the Town Manager.

2.2.2 - Processing Fee

At the time of requesting a Commitment Letter, the Applicant shall pay to the Town Manager a non-refundable processing fee in the amount set forth in the Rates, Fees and Charges Schedule to cover the costs of processing and investigating the Applicant's request.

2.2.3 - Approval/Disapproval

Commitment Letters for water service requiring a meter size of 2" or less shall be considered by the Town Manager. Commitment Letters for water service meters larger than 2" shall be voted on by the Town Council meeting in formal session.

All requests for water service meters larger than 2" shall be reviewed by the Town Engineer and shall be presented to the Town Council only after it has been determined by the Town Engineer that the system has adequate capacity to serve the connection. The criteria for the determination shall be based on the Town Manager's recommendations, the standing of the request as it relates to priorities listed in Article 1, Section 1.1.5 and/or the exclusive right of the Town to deny the request for any reason whatsoever.

2.2.4 - Reserved Service

If a Commitment Letter is approved, upon payment of a fee as described in the Rates, Fees and Charges Schedule, the Town Manager shall issue a letter to the Applicant committing the Town to supply the designated service, describing the location for which it is committed, limiting the use to the purpose proposed, and specifying the maximum commitment. The Town shall reserve for one (1) year sufficient capacity to satisfy the Applicant's designated needs.

2.2.5 - Duration

If the recipient of a Commitment Letter has not applied in writing for an Extension or Connection within one (1) year from the date of the Commitment Letter, the Commitment Letter shall be null and void, of no further force and effect, and the reservation of the service shall be terminated and released. However, the Applicant may request an additional Commitment Letter, which letter shall be valid for one (1) year from the date of the second letter, upon payment of a nonrefundable fee described in the rates, fees and charges schedule. The Town will continue to reserve the specified use after the conclusion of one (1) year from the date of the second Commitment Letter only if the Applicant pays the applicable minimum monthly charge thereafter. If the Applicant fails to pay the applicable minimum monthly charge, the Commitment Letter will be null and void, and the reservation shall be terminated and released.

2.2.6 - Transferability

A Commitment Letter is transferable by the Applicant. However, any Commitment Letter is valid only as to the designated location, the use originally proposed and the maximum amount of use described therein. The Applicant must notify the Town Manager of the transfer.

SECTION 2.3 - CONNECTION PERMIT

2.3.1 - Application

Any person wishing to connect to the Town water system shall first file written application with the Town. If the person has previously obtained a Commitment Letter for the connection, a copy of the Commitment Letter shall be attached to the Application.

2.3.2 - Application Fee

The application shall be accompanied by a non-refundable application fee in the amount set forth in the Rates, Fees and Charges Schedule. An Application Fee shall not be required if a fee has already been paid by the Applicant for a Commitment Letter or Extension Agreement approved with respect to the same property for which a Connection Permit is sought.

2.3.3 - Approval/Disapproval

Connection Permits for water meters of 2" and less shall be considered by the Town Manager. Connection Permits for water meters larger than 2" shall be voted on by the Town Council meeting in formal session. The Town Manager's criteria for his decision shall be the standing of the request as it relates to priorities listed in Article 1, Section 1.1.5 and the exclusive right of the Town to deny requests for any reason. The Applicant may appeal the Town Manager's denial in accordance with the procedures in Article 1, Section 1.3.

All requests for water service meters larger than 2" shall be reviewed by the Town Engineer and shall be presented to the Town Council only after it has been determined by the Town Engineer that the system has adequate capacity to serve the connection. The Town Council will use this same criteria plus the Town Manager's recommendations.

If an application for a Connection is approved by the Town Manager or the Town Council, the Town Manager shall signify such approval by signing the Connection Permit form, which approved form shall forthwith constitute a

permit for Connection. The Town Manager shall signify the approval date and confirm the Licensed Premises.

2.3.4 - Duration

- a. 30 Day Duration: If, within thirty (30) days after the date of approval of the Connection Permit, the Applicant or its successor in interest has not paid all applicable connection fees (tapping fees, system development charges, depletion fees, etc.), the Connection Permit is null and void.
- b. Re-Application: If, after a permit for Connection has become void based on the lapsed duration of time, the Applicant must reapply.

2.3.5 - Transferability

A Connection Permit is transferable by the Applicant. However, it is only valid as to the designated location, the use originally proposed, and the maximum use described therein. The Applicant must inform the Town Manager of the transfer.

2.3.6 - Replacement of Main

If an Applicant requests a new or increased service which, in the determination of the Town Manager, is large enough to impose a demand in excess of the capacity of the existing Main, it may be necessary to replace the existing Main with one of the appropriate size. Such replacement shall constitute an Extension and must be applied for in accordance with the procedures set forth herein.

2.3.7 - Connection Private Line

No new connection will be permitted on any line which is not a part of the water system maintained by the Town.

2.3.8 - Connections

Connections into water Mains will be made only by Town employees or qualified contractors under direct supervision of Town employees. Installation of the line from the Main Connection to the Town side of the meter, including furnishing and setting the meter will be done in the same manner, unless other arrangements are mutually agreed to. Charges for this installation, including all labor and materials, shall be set forth in the Rates, Fees and Charges Schedule.

In the event the property to be served is not adjacent to the public right-of-way, the line will be run to the public right-of-way nearest the property line. The Applicant shall be responsible for installation and maintenance of

the line from the building or structure to the Town's line on the public right-of-way.

Cost of replacing pavement will be added to the above charges where applicable and will be based on the rates in effect at the time. Boring, to avoid open cuts in roadways, may be done when feasible or required at an agreed on cost in lieu of cutting and replacing pavement. If it is necessary to break the curb, sidewalk or retaining walls, the repair or replacement of same shall be at Applicant's expense.

To avoid future cutting of street surfaces where service is not immediately desired, the service line shall be stubbed out but in the case of the water service the meter not set until service is desired. Charges for this installation shall be as set forth in the Rates, Fees and Charges Schedule.

SECTION 2.4 - EXTENSION AGREEMENT

2.4.1 - Application

An Applicant desiring an extension of the Town System must apply in writing on such forms and in such detail as prescribed by the Town Manager.

2.4.2 - Processing Fee

The application shall be accompanied by a non-refundable processing fee in the amount set forth in the Rates, Fees and Charges Schedule.

2.4.3 - Approval/Disapproval

All Extension Agreements shall be voted on by the Town Council meeting in formal session. The criteria for their decision shall be based on the Town Manager's recommendations, standing of the request as it relates to the priorities listed in Article 1, Section 1.1.5 and/or the exclusive right of the Town Council to deny the request for any reason whatsoever. The majority vote of the Town Council shall be the decision.

If the Town Council places conditions on the approval of the application, the Town Council may place a time limit on the Applicant to fulfill the conditions. If the conditions are not met within the time, limit the approval is null and void.

Extensions shall not be scheduled for construction until the Applicant has complied with all conditions and contractual obligations.

2.4.4 - Duration

If all applicable charges have been paid, an Extension Agreement is valid for 24 months. If the Applicant has not physically connected with the System within 24 months, then the permit is void unless the Applicant pays the

applicable monthly charge for the service shown on the plans and specifications and approved by the Town Council.

On cancellation of an Extension Agreement, the Applicant may renew said Agreement. However, the renewed Agreement will be subject to and governed by the policies in effect at the date of renewal.

2.4.5 - Transferability

An Extension Agreement can only be transferred if approved of by the Town Council acting in formal session.

2.4.6 - Engineer

The Applicant for Extension shall employ, at his expense, a North Carolina Registered Professional Engineer to prepare plans and specifications for the proposed Extension; such plans to be prepared in accordance with the Town's Standard Specifications and approved by the Town and the North Carolina Department of Natural Resources prior to installation.

2.4.7 - Deadline

The application shall be submitted to the Town Manager no later than ninety (90) days prior to anticipated construction date.

2.4.8 - General Provisions - Construction

A. Town Specifications: Applicant shall install the Extension in accordance with the Town Specifications and the construction shall be subject to inspection and acceptance by the Town Manager.

B. Preliminary Engineering Plans, Profiles and Specifications: Three (3) copies are to be presented to the Town Manager for review and comment: 2 copies retained by the Town, 1 copy returned to the Applicant with Town comments.

C. Finalized Plans, Profiles and Specifications: Five (5) copies are to be presented to the Town Manager for review and final approval. Upon written approval by the Town, said plans, profiles, and specifications shall be submitted to the appropriate agencies for approval as applicable by the following schedule:

- a. North Carolina Department of Natural Resources (3 copies of plans, specifications, and applications);

- b. North Carolina Department of Transportation (4 copies of plans with encroachment forms, 9 copies if an interstate highway is involved).

D. Construction By Licensed Contractor: All improvements shall be constructed by a properly licensed contractor in the State of North Carolina and who shall have paid all business licenses required by the Town, County and State.

E. Indemnify: By receiving approval for an Extension to the System, the Applicant agrees to indemnify and hold the Town, Town Council, Town Manager, Town Employees and the Public Works Department harmless from all loss, cost, damage, liability or expense resulting from injury to any person or property arising out of the Extension.

F. Inspection: During installation, and before acceptance of any new Extension, the Town Manager, or his authorized representative, shall inspect, with or without notice to the Applicant or the contractor, the construction or any part thereof to see that the Extension has been built in accordance with the approved specifications. Upon the request of the Town Manager, the Applicant or contractor shall arrange suitable times for inspection with the Town Manager, or his authorized representative. An inspection fee not to exceed the actual cost of making the inspection, shall be paid to the Town by the Applicant prior to the acceptance by the Town Manager of the facilities included in the Extension.

G. Town Manager Approval to Start Construction: The Applicant shall notify the Town Manager in writing, of his intent to start construction at least ten (10) working days in advance of the starting date. No construction shall begin until a pre-construction meeting has been held as scheduled by the Town Manager.

H. Disagreements: Wherein disagreements may develop between the Applicant, Applicant's contractor(s), and the Town's inspection representative, the Town Manager shall determine conformance relative to the intent of approved plans and/or specifications.

I. Deviation: If, in the judgment of the Town Manager, the Extension construction deviates from approved specifications and drawings, or there is a demonstrated lack of competent supervision by a contractor, the Town Manager may halt work until approved supervision is obtained and the work is done in accordance with the approved specifications and requirements.

J. Responsibility of Applicant: Inspection of an Extension by the Town Manager does not consist of or imply supervision or approval of the work or materials in the Extension nor does such inspection by the Town relieve the applicant and/or the applicants Engineer of their obligation to inspect all aspects of the extension and certify that the extension complies with the approved plans and specifications. Neither the Town Council or the Town Manager assume any responsibility for the work performed or materials

supplied. The Applicant is solely responsible for insuring that the Extension is completed in accordance with the approved specifications and drawings and indemnifies and holds harmless the Town, Town Council, Town Manager, Town Employees and the Public Works Department with respect thereto.

K. Drawings and Certifications: Upon completion of the construction project, the applicant shall submit to the Town Manager "As-Built" plans consisting of one set of reproducible plans and three (3) copies, and a statement certifying that this construction was completed in accordance with the approved plans and specifications. This statement shall be signed by the Registered Professional Engineer and affixed with his professional engineering seal. Duly certified copies of this statement will be transmitted to the North Carolina Department of Natural Resources. Until said drawings are obtained and certification made as required by this part, no water service will be provided to any portion of the extension.

L. Cost: The Applicant shall be responsible for paying the entire cost of any requested Extension including the cost of inspections as provided for in Part (F) of this Section.

M. Easement (Fee Simple Sites):

- a. Obtained by Applicant: Water facilities may only be installed in public rights-of-way or duly recorded rights-of-way. The Applicant shall be responsible for securing and recording any easements and/or encroachment agreements necessary for a requested Extension or Connection.
- b. Size: The applicant shall secure a 30 foot wide easement during construction and thereafter a 20 foot wide permanent easement (10 feet each side of the facilities) for service and maintenance. Said easements shall be of unlimited depth and free of surface obstructions.
- c. Conveyed to Town: Upon completion and inspection of a Connection or Extension, all duly recorded easements and encroachment agreements shall be transmitted to the Town Manager for appropriate acceptance action by the Town Council. All easements and right-of-ways shall be prepared in accordance with Part ~~6~~ of this Section.

N. General: The details of the installation shall be generally determined by the Town Council in accordance with recognized standards and accepted engineering practices. Standard Requirements are included in Section 3.2 of this Policy. Lines and other facilities shall be sized to serve anticipated Connections and Extensions to be made now or in the future. Specific requirements for design criteria and construction practices are prescribed by the Weaverville Standard Specifications. If the Applicant fails to supply specifications for an Extension, the provisions of the Weaverville Standard Specifications shall constitute the Extension specifications.

O. DENR State Approval: All Extensions constructed shall be in accordance with the "Rules Governing Public Water and Sewer Supplies" promulgated by the North Carolina Department of Environment & Natural Resources, as existing and amended.

If there is conflict between these Policies and the Rules promulgated by the Department of Environment & Natural Resources, the Department of Environment, Health & Natural Resources Rules shall control. No permit for an Extension shall be issued until the Department of Environment & Natural Resources has approved the plans and specifications.

P. Oversized Main: The Town Council, in order to provide for the anticipated needs of users beyond those needs which would normally be required for the purposes of the Applicant, may require the installation of a larger Main or other facilities, than would otherwise be necessary. If sufficient funds are available, the Town Council may contract with the Applicant to reimburse the Applicant for such portion of the costs (labor and material) as shall be attributable to the larger Main or other facilities required by the Town Council.

- a. If the Town Council contracts to reimburse the Applicant for a portion of the costs of installation of the oversized Mains or other facilities, the Applicant shall follow the public contract procedures as required by law.

Q. Fire Protection: The Applicant shall cause to be installed sufficient quantities of fire hydrants as to adequately serve any existing or proposed structures along an Extension or Connection. The location and spacing of fire hydrants shall be in accordance with Section 3.2 of this Policy. All waterline connections and extensions shall be sized to provide the required fire flow. Where adequate flow and capacity cannot be obtained at the point of connection the Applicant shall install a system designed to provide adequate water storage and flow capacity as required by this Policy and other applicable codes.

R. Stub-Outs: If the Extension is to serve a development or Subdivision, the Applicant shall install all water taps, meter boxes, and meter setters during construction from the mains at specified location(s) for the purpose of servicing all lots within the development or Subdivision. If a development or Subdivision, the Applicant shall install all water taps.

The Town may require, as a condition for approval of an Extension that the Applicant install all water taps, meter boxes, and meter setters during construction from the mains at specified location(s) for the purpose of servicing anticipated future development where a development or Subdivision is not involved.

The exact location of all taps, meter boxes, etc. shall be recorded on the "as-built" drawings. The cost of these stub-outs shall be borne by the Applicant.

S. Street Lines and Grades: The Applicant shall erect and maintain stakes to indicate correct street lines and grades to facilitate proper installation of the Mains in accordance with approved plans. The Applicant must grade all new streets prior to installation of Mains.

T. Extension Length and Size: The determination of the required length and size of an Extension shall, in all cases, be made by the Town Manager but, in general, shall be based on the following principles: (a) the terminal point of Extensions laid in streets not within a development shall be the property line beyond the last customer to be served by the Extension; (b) if the Extension is laid in streets within a development or subdivision, it shall include all Mains required to cover houses to be served by the Extension plus any Main required to connect dead ends created within the development or subdivision at intersecting streets; and (c) the size of Main to be installed shall be based on the existing and future needs of the System(s).

U. Extensions will be made on streets that are accepted and maintained by the Town or in rights-of-way granted to the Town. Extension will also be made on new streets subject to the following: (a) the street shall be constructed to line and grade conforming to the plan and profile as accepted by and recorded with the Town; (b) a bond has been posted with the Town by the Applicant to ensure satisfactory completion of said street according to the specifications of the Town, and that the Town accept and maintain the new streets as a Town street.

V. When all other requirements of these guidelines have been met and approved, the Owner shall prepare and submit to the Town one reproducible easement plat, prepared by a Registered Land Surveyor, and an instrument of conveyance conveying the constructed system to the Town at no cost. The plat shall show the actual location of completed water facilities and associated easements and right-of-ways, described by meets and bounds. The plat shall contain a statement by the Registered Land Surveyor certifying the location of the water facilities. The plat shall indicate all easements and right-of-way widths and shall be duly recorded with the Buncombe County Register of Deeds. (See Section 2.5.4, part d)

2.4.9 - Town Extensions

- a. General: Subject to the availability of adequate capacity, economic practicability and/or the availability of funds, nothing in these Policies shall prevent the Town from extending the System on their own motion and at their own expense, in whole or in part. Fees for Extensions initiated by the Town may be waived by the Town Council.
- b. Involuntary Annexation: The Town Council shall meet the need to expand the System to enable the Town to fulfill its involuntary annexation obligations for service and, to that end, shall appropriate from System revenues the funds needed, less any grant funds, for the Town to meet involuntary annexation obligations.

SECTION 2.5 - GENERAL POLICIES RELATING TO CONNECTION PERMITS
AND

EXTENSION AGREEMENTS

2.5.1 - Non-Obligation

The receipt by the Town Manager of an application for an Extension or Connection, regardless of whether or not accompanied by a deposit, shall not obligate the Town to render the service applied for.

2.5.2 - Disputed Ownership

Whenever application is made for service to premises which the Town Manager has actual knowledge of a dispute as to the ownership or the right of occupancy or one or more of the claimants attempts to prevent such service being furnished by written objection, Town Council reserves the right to withhold service, pending a judicial or other settlement of the rights to various claimants.

2.5.3 - Subdivision and Unified Development

Developers of subdivisions and unified developments shall be responsible for the full cost of installing water facilities within their own development and for the cost of Extensions to serve their development.

2.5.4 - Ownership and Maintenance

- a. Owned by City: Upon completion of all facilities and appurtenances constructed and connected with the System pursuant to these Policies and upon their inspection and approval by the Town Manager, all facilities and appurtenances, upon the request of the Town Manager, and appropriate legal action by the Town Council, become the sole property of the Town.
- b. Deeds: The Applicant shall execute any written instrument requested by the Town Manager to convey title to and/or provide evidence of the Town's title to such facilities and appurtenances even if such are located in a public right-of-way. Such deeds or other written instruments shall be prepared, executed and recorded at the Applicant's expense.
- c. System: In consideration of such facilities and appurtenances being transferred to the Town, the Town shall incorporate such facilities and appurtenances as an integral part of the System and shall furnish service therefrom for the reasonable life of said facilities, in accordance with the Town Council's rules, regulations, Policies and its Rates, Fees and Charges Schedule.

- d. Review by Town Attorney: Each and every deed, contract, right-of-way agreement, encroachment agreement, or other written instrument prepared pursuant to these Policies shall be reviewed and approved by the Town Attorney before being presented to the full Town Council for action in formal session.
- e. Maintenance: Following the acceptance of an Extension or a Connection to the System as provided herein, the Town Council shall have exclusive control over all facilities and appurtenances accepted by the Town Council and conveyed to the Town and shall be responsible for their maintenance, repair and operation.
- f. Guarantee: The Applicant shall guarantee the entire Extension or Connection against defective materials and workmanship for a period of three (3) years from the date of completion and acceptance by the Town for any claims arising out of defective materials and workmanship. The Owner shall further warrant to the Town that all fees and liens have been paid by him/her such that there are no outstanding indebtedness remaining and holding the Town harmless in each instance.
- g. Guarantee Bond: In order to further protect the Town of Weaverville against losses from defects, the Town, acting through the Town Council shall require the developer to post a bond guaranteeing that the provisions of 2.5.4f maintained for the three (3) year period. Such bond shall be in an amount to be determined by the Town Council, after consultation with the Town's consulting engineers and other appropriate engineers, as being sufficient to repair any defects and shall be given in one of several manners set forth for Improvements Guarantees in the Subdivision Ordinance of the Town of Weaverville.

2.5.5 - Out-Of-Town (Corporate Limits)

Upon request, the Town Council may extend its System to serve properties outside the Town when it determines that it is in the best interests of the Town to do so. The Town Council shall determine the conditions for such Connection or Extension on a case-by-case basis.

2.5.6 - Private Fire Protection Systems

The Town Council assumes no obligation for the adequacy of public or private fire protection service. Connections for private fire protection may be approved by the Town Manager, provided said Connections include a back-flow preventor and detector meter assembly as required by this Policy. Said backflow preventor shall be by the Applicant at his own expense.

2.5.7 - Location of other utilities

The developer/contractor shall be responsible for having a North Carolina One-Call evaluation of the site prior to beginning any construction of an extension.

SECTION 2.6 - DEVELOPMENT CHARGE

A System Development Charge shall be established to aid in the financing of new major water facilities and in the replacement or enlargement of existing facilities. This charge shall apply uniformly to all Licensed Premises to which service is provided after the adoption of this policy.

SECTION 2.7 - (Reserved)

SECTION 2.8 - CUSTOMER SERVICE

2.8.1 - Application

Application for service shall be made by the owner of record of the Licensed Premises on the forms prescribed by the Town Manager. Application shall be made in the name of and signed by the owner of record of the Licensed Premises, hereafter referred to as the customer.

2.8.2 - Denial of Service for Non-Payment of Prior Accounts

The Town Manager may reject an application for service if there is an outstanding amount due by the Customer to the Town for service.

2.8.3 - Service Charges - Deposits

A service charge shall be paid by all Customers to cover the costs of setting up the account and turning on the water, such charge to be paid to the Town before the service is provided.

In addition to the service charge, each Customer shall pay to the Town a deposit in accordance with the schedule of rates, fees and charges.

Corporate accounts shall remain secured in a manner determined by the Town Council. Other deposits will be refunded after one year of service with no delinquent bills.

2.8.4 - Rates

- a. Establishment of Rates: The Town Council shall periodically establish rate schedules.

- b. Minimum Monthly Charge: The Customer of each and every Licensed Premises connected to the System(s) shall be charged at least the minimum monthly charge as is set forth in the Rates, Fee and Charges Schedule, whether or not the service shall have been used. Even if a Customer is not using the System but is instead relying on his own system, the Customer shall be charged the minimum monthly charge in order to reserve the Customer's ability to use service.

2.8.5 - Meter Reading and Determination of Charges

- a. Monthly: Ordinarily, meters will be read monthly and bills rendered once per month, unless otherwise determined by the Town Council.
- b. Two Meters on Single Premise: When two or more meters are installed in the same premises for different Customers, the Town shall clearly identify which meter serves which Customer.
- c. One Meter for Several Buildings: Where there are multiple buildings on one lot, unless separate meters are installed for individual units, the Customer shall be responsible for the bill for meters jointly used by one or more tenants or other persons.
- d. One Account: Readings from different meters will not be combined into one account for billing. Exception: When two or more meters are located in the same vault and serve one main water Service Line, these meters will have the readings combined and billed as one account.

2.8.6 - Bills

- a. Due Date: Payment is due within fifteen (15) days of the date of billing and becomes delinquent thereafter.
- b. Suit: If it becomes necessary for the Town Council to institute suit to recover delinquent accounts, the Customer shall pay the Town Council's reasonable attorney's fees.
- c. Service Termination Notice: If an account becomes delinquent, a statement shall be mailed to the Customer, which statement shall notify the Customer of the provisions of Article 2, Section 2.8.7, herein regarding service termination and shall contain a telephone number where a Town Employee can be contacted concerning questions about the bill.
- d. Payment Responsibility: Bills for service will normally be sent to the address of the Licensed Premises and directed to the Customer unless the Town receives a request that billing be sent to an address other than the Licensed Premises. Mailing of a bill for service to an address other than the Licensed Premises shall in no way affect the power of the Town Manager or the Town Council to enforce payment of charges

by discontinuing service to the Licensed Premises. For those premises against which bankruptcy or other legal actions are pending or filed, the Town Council will abide by the law and orders of the court.

- e. Place of Payment: Town Employees are not authorized to accept payment for service at the Licensed Premises or in any manner other than in the usual course of business at the Town Hall, 30 South Main Street, Weaverville, North Carolina or Post Office Box 338, Weaverville, North Carolina 28787, or at other authorized payment locations as may from time-to-time be established.

2.8.7 - Termination or Interruption of Service

- a. Grounds for Termination: The Town Manager may terminate service for any of the following reasons:
 1. Failure of the Customer to pay in full an account that remains delinquent in excess of fifteen (15) days;
 2. Prevention of fraud, damage, destruction or abuse of the System by a Customer; or
 3. Failure of the Customer to comply with any of the provisions of these Policies and/or procedures.
- b. Termination Notice for Non-Payment: On the day that an account becomes delinquent (whether by non-payment or by payment with a check that is dishonored) or as soon thereafter as possible, the Town shall mail to the Customer a notice informing the Customer of the amount owed and stating that:
 1. Customer's account is delinquent and is subject to a penalty charge of 1-1/2% per month on the unpaid balance;
 2. If the Customer made a payment by a check which was returned to the Town unpaid for any reason, the Customer is subject to a service charge as is set forth in the Rates, Fees and Charges Schedule;
 3. The Customer is entitled to a Termination Hearing prior to the service termination date by a designated Town Employee at a specified address or telephone number during stated business hours if there is any dispute over the account.
 4. Unless the account is paid in full or otherwise resolved by a specified date (service termination date), the Town Manager may terminate service without further notice. The service

termination date stated in the notice shall be the tenth day after the post mark on the notice.

In any case in which service has been terminated for non-payment of a delinquent account or charges, or non-compliance with these Policies, except for an emergency not caused by negligence of the Customer, service from the System shall not be reinstated until the delinquent account or charges have been paid, or satisfactory arrangements for payment have been made or the emergency or non-compliance is removed or rectified. The Customer shall also pay a service charge as is set forth in the Rates, Fees and Charges Schedule prior to reinstating the account.

- c. Notice of Other Termination: If the Town proposes to terminate service for any reason other than non-payment or interruption as set forth herein above, or Emergency Termination as set forth herein below, the Town shall first mail by certified mail, return receipt requested, to the Customer a notice informing the Customer:
1. That the Town proposes to terminate service without further notice on a specified date, which date shall not be earlier than the tenth day after the post mark on the notice;
 2. What the reasons for the proposed termination are and what, if anything, the Customer may or must do to avoid termination of service;
 3. That the Customer is entitled to be heard by a designated Town Employee (at any time prior to termination of service) at a specified address or telephone number during stated business hours if there is any question about the accuracy or legitimacy of the reasons stated for the proposed termination.
- d. Emergency Termination: Where an emergency situation is discovered at the Licensed Premises, or where fraudulent use of service is detected (such as the use of a straight-line connection), or where a dangerous condition is found to exist, the Town Manager may terminate service without any notice to the Customer. Provided, however, that as soon after termination as is possible, the Town Manager shall send the Customer a letter by First Class Mail stating his reason for Emergency Termination.
- e. Termination Hearing: The hearing may be held by telephone or, at the request of the Customer, the Customer may meet in person with the specified Town Employee at the office of the employee. The hearing shall be conducted informally. The Customer shall be given every reasonable opportunity to bring to the attention of the designated employee information that bears upon the reasons for the proposed termination.

- f. Stay of Termination Pending Hearing Outcome: Except for Emergency Termination described herein above, so long as the hearing is requested and held before the service termination date indicated in the notice, the Town Manager shall postpone the proposed termination date until three days after the employee's written decision is served on the Customer. As soon as reasonably possible after the hearing, the employee conducting the hearing shall inform the Customer in writing of his decision and the reasons therefore. If the proposed termination relates to an unpaid account, the writing shall also inform the Customer that unless the account is paid in full within three days after the notice is served, or unless appropriate arrangements for payment are made, the service will be terminated. This decision may be served upon the Customer personally or mailed by certified mail, return receipt requested. If the Customer fails to make a timely request for a hearing provided for in Section 2.8.7 herein above or, following the hearing fails to comply with the decision of the Town Manager within the time specified herein, the Town Manager shall terminate service without further notice.
- g. Procedure for Service Termination: Service termination shall be effected only by authorized agents of the Town, by any one of the following methods:
1. Turn off at meter location;
 2. Removal of meter; or
 3. Disconnection of service at Main.
- h. Service Reinstatement: Before service will be reinstated, the Customer shall be required to make full payment of any charges still outstanding of his account or otherwise make satisfactory arrangements for payment, and a service charge as is set forth in the Rates, Fees and Charges Schedule shall be made for service reinstatement.
- When water service is cut off for delinquency, it shall be unlawful for any person other than a duly authorized employee of the Town to do any act that results in a resumption of water service (G.S. 160A-314).
- i. Denial of Reinstatement: If a Customer has repeatedly engaged in fraudulent misuse or abuse of the System, the Town Manager may deny service reinstatement under such terms or for such period of time as the Town Manager deems appropriate.
- j. Termination at Customer's Request: A Customer may request that service be discontinued (for a change in occupancy or other reason) which request shall be made at least two (2) days before the Customer desires a termination to become effective. The Customer shall be

responsible for all services used for the prorated service up to the time service is terminated.

- k. Collection: Except with respect to a fire line Connection account, the Town Manager may enforce the payment of an account by discontinuing service to the Licensed Premises without regard to the ownership or occupancy of said Licensed Premises. Payment in advance, or deposit in lieu thereof, may be required by the Town Manager to whatever extent he finds such practice conducive to prompt payment of amounts due on account for service. Regardless of whether service has been terminated, if an account remains unpaid for thirty (30) days from the date of the first billing, the Town Manager may institute appropriate legal proceedings to collect the arrearage unless satisfactory arrangements for payment are made. The Town Manager shall report any and all legal proceedings so instituted to the Town Council at the next regularly scheduled meeting.

ARTICLE 3

SPECIFIC POLICIES AND PROCEDURES RELATING TO WATER SERVICE

SECTION 3.1 - CONNECTION WITH FIRE HYDRANTS

3.1.1 - Policy

It is the policy of the Town Council to deny permission to use water from town-owned fire hydrants to anyone except authorized agents of applicable Fire Departments and the Town governmental departments. However, the Town Manager may grant permission for the use of water from town-owned fire hydrants when he is satisfied that there is not another high volume water source readily available to the Applicant and the projected volume of water that would be used would not adversely affect the supply of water to existing Customers.

3.1.2 - Application

In order to receive a permit to use water from a town-owned fire hydrant, the Applicant must:

- a. Make written application for such permit. The application is to be made on forms supplied by the Town Manager and state in the application the location of the hydrant(s) to be used; and,
- b. State the length of time the public fire hydrant will be used and the holding capacity of the tank truck or trucks to be used, if applicable.

3.1.3 - Service Fees

The Applicant shall make payment in advance for the fire hydrant use permit for water which is expected to be withdrawn from each hydrant at the charge set forth in the Rates, Fees and Charges Schedule.

3.1.4 - Connection by Town

The Town will dispatch an employee to each public hydrant proposed for connection to attach a 2" meter to the fire hydrant. Only an employee or agent of the Town or authorized employees or agents of the Fire Department may attach this connection to the fire hydrant. A Town Employee or agent will also remove said connection from the fire hydrant each afternoon in order to prevent unauthorized persons from discharging water from the hydrant and to enable the employees of the Town to report each public fire hydrant available for service for fire protection purposes to the appropriate Fire Department.

3.1.5 - Overtime Usage

Should the Applicant wish to have the usage period increased from 8:30 a.m. to 4:00 p.m. from Monday through Friday to a longer period of time, or to have the use of any fire hydrant on holidays or weekends, an additional payment for overtime usage shall be made by the Applicant to help cover the expenses incurred by the Town, as is set forth in the Rates, Fees and Charges Schedule.

3.1.6 - Rates

In addition to the fees set forth above, the Applicant shall be billed by the Town for the actual consumption of water based on the water rates as set forth in the Rates, Fees and Charges Schedule.

3.1.7 - Continual Use Permit

When an Applicant can clearly show that his requirements demand that he be permitted to withdraw water from various hydrants on a continuing basis for more than one (1) day, he may apply for a special permit to do so from the Town Manager.

3.1.8 - Connection by Fire Department

Except in emergency fire situations, no Fire Department may withdraw water from the public fire hydrants, for testing of equipment, training of members, filling of fire trucks or other purpose related to fire protection without giving the Town Manager twenty-four (24) hours notice. For non-emergency situations, the Fire Departments may only withdraw water between 8:00 a.m. and 5:00 p.m. No Fire Department may withdraw water from a hydrant for private use unrelated to fire protection such as filling a swimming pool, unless the owner of the swimming pool obtains a permit for water from a hydrant in accordance with these Policies and the Fire Department complies with these Policies.

3.1.9 - Use of Fire Hydrants for Flow Tests

All tests to determine flow from fire hydrants or industrial sprinkler systems shall be conducted under the direct supervision of the superintendent of the water department after a permit to so do has been first obtained as provided for in Section 3.1.2, and payment of the permit fee has been paid to the Town.

3.1.10 - Backflow Protection

All connections to fire hydrants shall be made with suitable backflow prevention devices as directed by the superintendent of the water department.

3.1.11 - Penalty

Failure to comply with this Section or the unauthorized use of water from a fire hydrant shall result in the immediate termination of service from the fire hydrant, as well as all other penalties, civil or criminal, provided by law.

SECTION 3.2 - WEAVERVILLE STANDARD REQUIREMENTS - WATER

These requirements are general in nature and are intended as a guide. They are not intended to be used as detailed specifications.

3.2.1- State Requirements

All water system extensions shall meet the requirements of the North Carolina Department of Environment & Natural Resources with respect to size, area served and loops.

3.2.2 - Pressure Requirements

The designed system shall provide at all meter locations at least 30 psi during normal flow conditions and a minimum of 20 psi during fire flow conditions.

3.2.3 - Flow Requirements

The designed system shall provide adequate flow for fire protection in accordance with the North Carolina Fire Prevention Code. A minimum fire flow of 750 gallons per minute shall be available to all one- and two-family dwellings except as may be required or permitted by said Fire Prevention Code. The Fire Chief is authorized to modify fire flow requirements in accordance with said Fire Prevention Code.

3.2.4 - Capacity Requirements

The designed system shall provide adequate capacity for domestic use and fire protection combined. Minimum domestic capacity shall be based upon a demand of 400 gallons per day per connection. Fire protection capacity shall provide a minimum of 2 hours flow at the fire flow rate as determined in accordance with Section 3.2.3. Additional capacity may be required by the North Carolina Fire Prevention Code. A minimum one-half day domestic supply shall be added to fire protection capacity. Total capacity shall not be less than a 2 day domestic capacity.

3.2.5 - Water Mains

Water mains less than 6" will be allowed only when the last service Connection can be made within 400 feet of a 6" Main. The use of 6" and smaller waterlines may be further limited by fire flow demands and fire hydrant locations.

3.2.6- Depth

The minimum cover for all Mains shall be 36". The minimum depth for a meter in a meter box shall be 30".

3.2.7- Allowable Pipe Material

Ductile Iron Class 350 - (4" and larger)

Polyvinyl Chloride (SDR-13.5) (3" and smaller)

Service Lines - Type K copper with flare or compression fittings

3.2.8 - Looping

The Town may require, as a condition for approval of an Extension, that a Main be "looped", i.e., connected to more than one Main. The responsibility for the cost of said looping shall be borne by the Applicant.

3.2.9 - Valves Required

Minimum valve requirements shall be as follows:

A minimum of two (2) valves at all tees

A minimum of three (3) valves at all crosses

Where the system is looped or water may be supplied from more than one direction or source, valves are required on all sides of tees and crosses.

3.2.10 - In-Line Valve Spacing

Maximum in-line valve spacing shall not exceed 1,000 lineal feet, unless otherwise approved.

3.2.11- Fire Hydrants

Fire hydrants, flushing hydrants or blow-offs shall be provided at all dead-end mains and low points of the proposed water system extension. Fire hydrants shall be located at all street intersections and at a maximum spacing of 500 feet so that the maximum distance from any point on a street or road frontage to a hydrant does not exceed a maximum of 250 feet. Hydrant spacing closer than this maximum may be required by the Fire Chief in accordance with the North Carolina Fire Prevention Code. Fire Hydrants with 5-1/4" main valves may be required to meet the fire flow requirements of this Section. All fire hydrants shall be equipped with an auxiliary valve.

3.2.12 - Sewer Line Crossings

All crossings with sewer lines shall meet North Carolina Department of Environment & Natural Resources requirements of separation and materials.

3.2.13 - Separation of Utilities

All utilities (existing and proposed) shall be separated by ten (10) feet from the proposed Extension or five feet within existing public rights-of-way where existing utilities are located.

3.2.14 - Air Release Valves

Air release valves shall be provided at all high points of the proposed water system extension.

3.2.15- Reinforcements

All tees, bends, plugs and fire hydrants shall be provided with thrust blocks, tie rods, restrained joint pipe or a combination thereof.

3.2.16 - Pump Stations and Storage Tanks -General

Where adequate capacity, flow and/or pressure in accordance with this Section is not available at the point of connection the designed system shall provide adequate capacity by the use of pump stations and reservoirs. Pump stations and reservoirs shall be permitted where by design they are intended to pump water to a reservoir at a higher elevation. In such design domestic peak flow and fire flow conditions are met by gravity flow from the reservoir. Hydropneumatic pump stations will be approved only by special permission of the Town Council where topographic conditions do not permit adequate pressure from ground storage reservoirs. Booster type pump stations with continuous running pumps are not permitted.

3.2.17 - Pump Stations

All pump stations shall be designed with a minimum of two pumps. Pumps shall be sized so that the normal daily demand will be met during a 12 hour operating period with any single pump out of service. Except as provided for in Section 3.2.20, pump stations shall be equipped with auxiliary power generating equipment. All pump stations shall be equipped with flow meters and totalizers.

3.2.18 - Reservoirs

All reservoirs shall be sized in accordance with Section 3.2.4. Reservoirs shall be located so as to provide adequate pressure in accordance with Section 3.2.2. All reservoirs shall be of prestressed composite concrete construction with circular configuration. All weather access roads shall be provided to all reservoir locations. Reservoirs shall be equipped with level indicators and with level transmitters as a part of the SCADA requirements of this Section.

3.2.19 - Fire Pumps

Fire pumps will be approved only as a part of a hydropneumatic system where adequate fire flow cannot be obtained by gravity flow from reservoirs. Fire pumps shall be of adequate size to meet the fire flow requirements as determined by Section 3.2.3. and shall be specifically designed for fire service. Pump station electrical services and equipment shall comply with Article 695 of the National Electrical Code. Fire pumps systems equipped with "hydrant and siamese" to allow a fire pumper to substitute for the fire pump in event of pump or power failure shall supply only fire protection systems isolated from the potable water supply by backflow protection in accordance with Section 3.4 of this Policy.

3.2.20 - Emergency Power

Except as provided in this paragraph, all pump stations shall be equipped with auxiliary power generating equipment to allow the pump station to operate normally in the event of a commercial power failure. Where the pump station supplies a reservoir or service area which, as determined by the Water Department, can be served in emergency situations by another pump station with auxiliary power generating equipment, auxiliary power generating equipment will not be required. Except as may be required by other codes, fire pumps equipped with a "hydrant and siamese" may be omitted from the auxiliary power generating equipment provided such system includes appropriate alarms to alert the fire department that the fire pump is inoperable.

3.2.21 - SCADA Systems

All reservoirs, pump stations and any other appurtenances which require monitoring and/or control shall be equipped with supervisory control and data acquisition equipment compatible with the Town's present system to monitor and control the operation thereof. The Applicant shall be responsible for furnishing and installing all such equipment and shall reimburse the Town for the cost of any and all programming required to incorporate such equipment, monitoring and control into the SCADA system. All such equipment shall be equipped with back-up power to operate the SCADA equipment in the event of a power outage for a minimum of 3 days.

SECTION 3.3 - METERS

3.3.1 - Minimum Monthly Meter Charge

- a. Requirement: No water shall be supplied by the Town to any Customer except through a water meter of a style, pattern and quality approved by the Town Manager.
- b. Connection: The meter shall determine the quantity of water for which the Customer will be charged. Where premises are left unoccupied, with the water not turned off by the Town Manager, no rebate will be allowed for water registered by the meter that shall have leaked. The minimum monthly meter charge will be commenced when the meter is set in place and connected with the Water System. Except as otherwise provided for herein, each Customer shall be charged the minimum monthly meter charge or the cost of all water passing through the meter, whichever is greater, whether the water shall have been used or wasted, or the premises occupied.
- c. Governmental Services: Water service at all Town facilities shall be metered and direct activities operated as general governmental services of the Town of Weaverville shall receive reasonable amounts of water free of charge. By way of example and not by way of limitation, direct activities operated by the Town as general governmental services shall include water fountains, government buildings, street flushers, etc.

3.3.2 - Inspection of Meters

Duly authorized agents of the Town shall have access at all reasonable hours to the Licensed Premises for the purpose of installing or removing meters, inspecting piping, reading or testing meters or for any purpose in connection with the water service or facilities.

Application for and acceptance of water service shall constitute consent by the Customer to permit access to the Licensed Premises for these purposes. Failure to provide reasonable and non-hazardous access to the meter shall result in termination of water service.

3.3.3 - Meter Tests

- a. Routine Tests: The Town may, at its own expense, make routine tests and inspections of meters whenever the Town Manager considers such tests desirable.
- b. Accuracy: In testing meters, the water passing through a meter will be measured at various rates of discharge and under varying pressures. To be considered accurate, the meter registration shall

check with the measured amount of water within the percentage shown in the following tables:

Meter Type (all sizes)	Accuracy Limits as Found By Testing	
	Normal Test Flow Rates	Minimum Test Flow Rates
Displacement	96-102%	80-102%
Multi-jet	96-102%	80-104%
Propeller & Turbine	96-103%	Not Applicable
Compound & Fire Service	95-104%	Not Applicable

- c. Requested Testing: When a customer feels that his billings are consistently high, he may file a request with the Town to have his meter tested. The Water Department superintendent shall make every effort to arrange the test at a time when the customer can be present during the testing.

If the results of the test show that the meter is faulty and indicated more water than the customer actually receives in excess of the accuracy limits specified in the table above (meter is fast), the meter shall be replaced and no charge shall be made for the testing.

If the results of the test show the meter is correct or that the meter is faulty and indicates less water than the customer actually receives (meter is slow), the meter shall be reinstalled or replaced and the customer shall be billed the costs of the testing.

3.3.4 - Ownership, Repairs and Maintenance of Meters

- a. Town-owned: The title and ownership of all water meters is retained by the Town.
- b. Location: All meters must be located so as to allow free and non-hazardous access at reasonable times for reading, removal, inspection and replacement by the Town so that the entire supply of water will at all times be accurately measured. The Town Manager reserves the right to designate the location, size and number of meters and Service Lines at the Licensed Premises.
- c. Rights reserved by the Town: The Town reserves the right to remove, replace, test, adjust, seal and otherwise exercise control over any meter for causes deemed justifiable by the Town Manager.

- d. Bypasses: In order to effect repairs or conduct tests, bypasses may be installed by the Water Department around meters 1 inch and larger. Such bypasses shall remain closed at all times except during actual repairs and testing under the direct supervision of the Water Department. No Customer shall have a bypass around any meter without written permission from the Town Manager. Discovery by the Town of a bypass at a Licensed or Unlicensed Premise without approval is grounds for immediate Termination without notice to the Customer.
- e. Repairs: In order to provide for accurate measurement of water, the Town shall maintain in good repair all meters which are read for billing purposes. Meters one inch or smaller in need of maintenance or testing will be removed by the Town and replaced with a properly maintained and tested meter of corresponding size and type. Meters larger than 1 inch in need of maintenance shall be repaired at the site, if possible.
- f. Extraordinary Damage: The Customer shall be financially responsible for any damage to, or loss of, the meter at his Licensed Premises caused by vandalism, malicious mischief, theft, hot water, tampering, or casualty other than ordinary wear and tear. When a meter shall have been damaged as a result of any such causes, the Customer shall bear the entire expense of removing, repairing, resetting and replacing the meter. When a property owner is left with a water meter on his hands due to a fire, a house being torn down or such similar causes, such meter shall be reinstalled for the property owner free of cost should he rebuild.
- g. Interference: All meters shall be installed, tested, repaired and removed only by Town Employees. No one shall do anything which will in any way interfere with or prevent the proper registration of a meter.
- h. Termination: Any unauthorized use of a meter or bypass may result in the termination of service and/or removal of the meter, as well as all other penalties, civil or criminal, provided by law.
- i. Relocation of Meters and Taps Prohibited.

All meters and taps shall remain on the property or lot upon which they are originally installed. No meter or tap shall be relocated from one lot to another.

In the case where a meter or tap is located remotely from the premises which is served by said meter or tap, the meter or tap shall be considered as belonging to the property upon which said premises is located and not the lot or property upon which the meter or tap is actually located.

In the case where property which is served by a meter or tap is subdivided into several smaller lots, the property owner, at the time of subdivision, may assign the meter or tap to any of the several lots provided the actual location of the meter or tap remains unchanged. When the meter or tap is located within the corporate limits of the Town, the meter or tap shall not be used to serve a lot or premises outside the corporate limits of the Town.

No provision of this section shall prevent the Town water department from relocating any meter or tap as required by any highway construction or similarly related cause.

3.3.5 - Individual and Master Meters

- a. Individual Meters: After the effective date of these Policies, each new residential, industrial or commercial building, under one roof (including shopping centers, condominiums and/or apartment buildings), whether or not under common ownership shall have one water meter for each such building. Variations from this Policy shall be by written permission from the Town Manager.
- b. Master Meters: It shall be decided on a case by case basis as to whether a request for water service will be provided through an individual meter or through a master meter. Such decision will be rendered by the Town Manager for meters 2" or smaller or by the Town Council for meters larger than 2".
- c. Conversion from Master Meter: With respect to any Licensed Premises served by a single or master meter where the Customer desires to put an individual meter at each different building (if the Licensed Premises contains more than one building) or where the Customer desires to put more than one meter at the Licensed Premises, or in any instance where the Customer requests that the meter be relocated closer to the Licensed Premises, the Town Manager shall not authorize the relocation of the meter unless the Customer, at his own expense, brings the piping between the present location of the meter to the requested location of the meter up to the requirements of the Weaverville Standard Specifications and provides the Town with a right-of-way for future maintenance of said piping in accordance with Section 2.4.8, part M of this Ordinance.
- d. Mobile Homes: Mobile Homes that occupy a single lot or area which is not in a Mobile Home Park shall have an individual water meter. Areas designated as Mobile Home Parks shall be served by one master water meter.

3.3.6 - Change in Meter Size

- a. Application: Any Customer desiring to have the existing meter replaced by a meter of a different size may do so by making written application to the Town Manager. In the event application is received for the installation of a smaller meter, and if consumption records indicate that by changing to the smaller meter that the same would be operating better as is, then such application may be denied by the Town Manager.
- b. Leased Premises: The application for a change in meter size may only be made by the owner of the Leased Premises.
- c. Reduction of Water Pressure or Flow: In the event of a change of meter size the Town shall not be responsible for any reduction or increase in water pressure or flow.
- d. Charge: At the time that such application for a change in meter size is approved, the applicant shall pay the fee as set forth in the Rates, Fees and Charges Schedule.

SECTION 3.4 - CROSS-CONNECTION CONTROL POLICY

3.4.1 - Objective

The purposes of this section shall be to:

- a. Protect the Weaverville Public Water System from the possibility of contamination by isolating within its customer's private water system(s), contaminants or pollutants which could, under adverse conditions, backflow through uncontrolled cross-connections into the public water system.
- b. Eliminate or control existing cross-connections, actual or potential, between the Customer's potable water system(s) and nonpotable water system(s), plumbing fixtures and industrial piping systems.
- c. Provide a continuing inspection program of cross-connection control, which will systematically and effectively control all actual or potential cross-connections which may be installed in the future.

3.4.2 - Definitions

Air-gap separation: A physical separation between the free-flowing discharge end of a potable water supply pipeline and an open or nonpressure receiving vessel. An approved air-gap separation shall be at least double the diameter of the supply line measured vertically above the top rim of the vessel with a minimum of two (2) inches.

Approved: An approval by the North Carolina Department of Natural Resources.

Backflow: The flow of water or other liquids, mixtures, gases or other substances into the distribution piping of a potable supply of water from any source or sources.

Backflow prevention device: Any effective device, method or construction used to prevent backflow into a potable water system. The type of device used should be based on the degree of hazard, either existing or potential.

Backflow prevention device tester: A person who has proven his competency to the satisfaction of the Town of Weaverville. Each person who is certified to make competent tests or to repair, overhaul and make reports on backflow prevention devices shall be conversant with applicable laws, rules and regulations, having had at least two (2) years of experience in plumbing or pipe fitting, or have other qualifications which, in the opinion of the Town, are equivalent.

Backsiphonage: A form of backflow due to a negative or a subatmospheric pressure within a water system.

Contamination: An impairment of the quality of the Town water system by sewage, industrial fluids or any other foreign substance to a degree which creates a hazard to the public health.

Cross-connection: Any unprotected connection between any part of a water system used or intended to supply water for drinking purposes and any source or system containing water or substance that is not or cannot be approved as safe, wholesome, and potable for human consumption.

Double-check, double-gate valve assembly: An assembly of at least two (2) independently acting approved check valves, including tightly closing shut-off valves on each side of the check valve assembly and suitable connections for testing the water tightness of each check valve.

Flood level rim: The edge of the receptacle or vessel from which water overflows.

Health Agency: The North Carolina Division of Environmental Health.

Health Hazard: An actual or potential threat of contamination or pollution of a physical or toxic nature to the public potable water system or the consumer's potable water system to such a degree or intensity that there would be danger to health.

Hospital: Any institution, place, building, or agency which maintains and operates organized facilities for one or more persons, for the diagnosis, care and treatment of human illnesses, including convalescence and care during and after pregnancy, or which maintains and operates organized facilities for any such purpose, and to which persons may be admitted for overnight stay or longer. "Hospital" includes sanitarium, nursing homes, and maternity homes.

Industrial fluids: Any fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration, such as would constitute a health, system, pollution, or plumbing hazard if introduced into an approved water system.

Inlet: The open end of the water supply pipe through which the water is discharged into a plumbing fixture.

Industrial piping system: Any system used by the consumer for transmission of or to confine or store any fluid, solid or gaseous substance other than an approved water supply. Such a system would include all pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances used to produce, convey or store substances which are or may be polluted or contaminated

Laboratory: A certified testing laboratory acceptable to the North Carolina Division of Environmental Health.

Plumbing Hazard: A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or other device. Unprotected plumbing type cross-connections are considered to be a health hazard. They include, but are not limited to, domestic washing machines, and lawn sprinkling systems. Plumbing type cross-connections can be located in many types of structures, including homes, apartment houses, hotels, and commercial and industrial establishments.

Point of delivery: See "service connection."

Potable Water: Water from any source which has been investigated by the North Carolina Division of Environmental Health, and which has been approved for human consumption.

Pumping system: The water supply and distribution pipes, plumbing fixtures and traps; soil, waste and vent pipes; building drains and building sewers, including their respective connections, devices and appurtenances within the property of the premises, and water treating or water using equipment.

Pollution: An impairment of the quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such water for domestic use.

Reduced pressure principle backflow prevention device: A device containing within its structure a minimum of two (2) independently acting, approved check valves, together with an automatically operating pressure differential relief valve. This valve is located between the two (2) check valves. The first check valve reduces the supply pressure a predetermined amount, so that during normal flow and at cessation of normal flow the pressure between the checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to atmosphere, shall operate to maintain the pressure between the checks less than the supply pressure. The unit shall include tightly closing shut-off valves located at each end of the device and each device shall be fitted with properly located test cocks.

Service connection: The terminal end of a service connection from the public water system, i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the consumer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter or backflow prevention device located at the point of delivery to the consumer's water system.

Vacuum breaker: nonpressure type: A vacuum breaker which is designed so as not to be subjected to static line pressure.

Vacuum breaker: pressure type: A vacuum breaker designed to operate under conditions of static line pressure.

Water purveyor: The owner or the operator of the public potable water system supplying an approved water to the public. As used herein the terms "water purveyor" and "department" may be used synonymously.

Water supply, approved: Any public potable water supply which has been investigated and approved by the North Carolina Division of Environmental Health. The system must be operating under a valid permit. In determining what constitutes an approved water supply, the Division of Environmental Health has reserved final judgement as to its safety and potability.

Water supply, auxiliary: Any water supply on or available to the premises other than the purveyor's approved public potable water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source such as a well, spring, river, stream, etc., or "used waters" or "industrial fluids." They may be polluted or contaminated, or objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

Water supply, unapproved: A water supply which has not been approved for human consumption by the North Carolina Division of Environmental Health.

Water system(s), consumer's: Any water system located on the consumer's premises, whether supplied by a public potable water system or an auxiliary water supply. The system or systems may be either a potable water system or an industrial piping system.

Water system, potable: Any publicly or privately owned water system operated as a public utility, under a valid health permit, to supply water for domestic purposes. This system will include all sources, facilities, and appurtenances between the source and the point of delivery such as valves, pumps, pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances used to produce, convey, treat or store potable water for public consumption use.

Water, used: Any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passed through the point of delivery and is no longer under the control of the water purveyor.

3.4.3 - Responsibility - Cross-Connection Control

Under the law, rules and regulations for water works systems in the State of North Carolina, (Section of Statutory Authority G. S. 130A, Article 10) the Town has the primary responsibility to prevent water from unapproved sources, or any other substances, from entering the public potable water system. The health agency has the overall responsibility to prevent water

from unapproved sources entering either the potable water system within the water customers premises or the public water supply directly.

3.4.4 - Customer's Responsibility

The Customer's responsibility starts at the point of delivery from the public potable water system, and includes all of his water systems. The Customer, at his own expense, shall install, operate, test and maintain approved backflow prevention devices, as directed by the Town Manager.

The Town Manager shall have primary jurisdiction in enforcing this section. The Customer shall maintain accurate records of test and repairs made to backflow prevention devices. In the event of accidental pollution or contamination within the Customer's premises, the Customer shall promptly take steps to confine further spread of the pollution or contamination within the Customer's premises, and shall immediately notify the Town Manager of the hazardous condition.

3.4.5 - Policy

The water purveyor will provide a continuing inspection program of all industrial and commercial users of potable water, where it is probable that a pollution, health, or system hazard may be created; or where materials dangerous to health or toxic substances in concentrations are handled in tanks, piping systems or other vessels on the premises; or where the water systems are unstable and cross-connections may be installed or reinstalled. The following state regulations to cross-connections will apply:

1. Should the connection be between two (2) approved public water supplies, common gate or check valves may be used, provided this has the approval of both water supplies and the health agency.
2. Should the connection be from an approved public water supply to a service or other water supply, which does not meet the standards of the approved water supply, and which is not cross-connected within its systems with a potentially dangerous water or liquid, any approved double check valve assembly may be used.
3. Should the connection be from an approved water supply to a service or other water supply which has or may have any material in the water dangerous to health, that is or may be handled under pressure, or subject to negative pressures, protection shall be by air-gap separation. The air gap shall be located as close as practicable to the service cock or other connection and the air gap shall be entirely visible. If these conditions cannot reasonably be met, the public water supply shall be protected with an approved reduced pressure principle backflow

prevention device, provided the alternative is acceptable to the water surveyor and the health agency.

3.4.6 - Frequency of inspection

Due to changes in models or components, methods of manufacturing and additions to the plants, building, etc., water use requirements undergo continual change. As a result, new cross-connections may be installed and existing protection may be by-passed, removed, or otherwise rendered ineffective. An annual inspection of all water facilities is required.

3.4.7 - New construction

All new construction plans and specifications shall be made available to the Town for approval and to determine the degree of possible cross-connections.

3.4.8 - Existing systems

In order to determine the degree of hazard to the public potable water system, a survey will be made of the consumer's presently installed water system. This survey need not be a detailed inspection of the location or disposition of the water lines, but can be confined to establishing the water uses on the premises, the existence of cross-connections and the availability of auxiliary or used water supplies.

3.4.9 - Cross-connection hazard and protective devices required

- a. Fixture inlets or valved outlets with hose attachments, which may constitute a cross-connection, shall be protected by an approved vacuum breaker installed at least six (6) inches above the highest point of usage and located on the discharge side of the last valve. Fixtures with integral vacuum breakers manufactured as a unit may be installed in accordance with their approved requirements.
- b. Hospital, medical, dental, therapeutic, surgical, mortuary, school or similar places shall have all water outlets protected by approved vacuum breakers on the discharge side of the last valve.
- c. All hospitals and mortuaries shall have a reduced pressure principle backflow preventer installed on all the main service connections supplying potable water to such premises.
- d. All building, plants or other structures having a source of unapproved water piped into such buildings, plants or other structures with the potential of being interconnected to the public water supply, shall have a reduced pressure principle backflow preventer installed on the main supply line serving their premises.

- e. All manufacturers of chemicals which are toxic may be required at the discretion of the water purveyor to install a reduced pressure principle backflow preventer.
- f. All future chemical plants shall have a reduced pressure principle backflow preventer on initial construction before potable water is connected.
- g. All sewage treatment plants shall have a reduced pressure principle backflow preventer installed on main potable water service lines serving such plants.
- h. All fire systems shall have an approved double-check, double-gate valve assembly, one being a detector check-valve with test gages installed. All backflow preventors installed on fire systems as new or replacement assemblies after March 20, 1995 shall be reduced pressure principal backflow preventors as specified in Section 3.5.2 of this Policy.
- i. All existing fire sprinkler and fire protection systems which contain anti-freeze or additives of any type, shall have a reduced pressure principle backflow preventer installed as specified in Section 3.5.2 of this Policy.
- j. Industrial fluid or processed water. Potable water pipelines connected to industrial piping systems or to equipment containing liquid shall be protected by installing a reduced pressure principle backflow preventer in the interconnecting line, or separated by an air-gap separation.
- k. Connection to boilers. Potable water connection to boiler feed water system which contains conditioning chemicals shall either be made through an air-gap separation at make-up tank, or a reduced pressure principle backflow preventer.
- l. Air conditioning cooling tower with a potable water inlet shall have an air-gap separation of twice the inside diameter of the inlet line or a minimum of two (2) inches above the flood level rim.
- m. Aspirators and ejectors shall have a vacuum breaker installed on the faucet from which these devices are attached or operated.
- n. Flushing floor drains shall have a vacuum breaker installed.
- o. Wash-up sinks with threaded faucets shall have a vacuum breaker installed.
- p. Stills shall have an air-gap separation.

- q. Sterilizers shall have an air-gap separation or a vacuum breaker installed.
- r. Flush valve water closets, urinals and bidets shall have a vacuum breaker installed in accordance with the North Carolina Standard Plumbing Code.
- s. Washdown hose faucet shall have a vacuum breaker installed on faucet.
- t. Pipette washer shall have a vacuum breaker installed or an air-gap separation on faucet.
- u. Bedpan washer shall have a vacuum breaker installed in accordance with the North Carolina Standard Plumbing Code.
- v. Fire sprinkler drains shall have an air-gap separation to the sewer.
- w. Drinking fountains shall have an air-gap separation.
- x. Hydro-therapy baths shall have a vacuum breaker installed at water connection.
- y. Colonic irrigators or douche attachments shall have a vacuum breaker installed.
- z. Janitor's mop or slop sink with threaded hose faucet shall be equipped with a vacuum breaker at faucet.
- aa. Foot and Sitz bath shall have an air-gap separation or a vacuum breaker installed.
- bb. Bathtub with hose attachment shall have a vacuum breaker at faucet.
- cc. Dip tanks and vats with potable water inlet shall have an air-gap separation of twice the inside diameter of the inlet line or a minimum of two (2) inches above the flood level rim.
- dd. Water supply inlets in pits, tanks, trenches, tubs, vats or any other place that could become flooded with contaminated liquids shall have an air-gap separation above the flood level rim.
- ee. Shampoo basin in hose rinse shall have a vacuum breaker at the faucet.
- ff. Serrated faucets shall be equipped with a vacuum breaker at the faucet.

- gg. Garbage disposer with a potable water supply line connected directly to garbage disposer shall be equipped with a vacuum breaker.
- hh. Swimming pool fill line shall have an air-gap separation or a vacuum breaker installed.
- ii. X-Ray developing tank shall have an air-gap separation or a vacuum breaker installed.
- jj. Potable water make-up lines to chill water loops, heating loops, purge units, condensers, converters, and condensate tanks should be equipped with a double-check valve, double-gate valve assembly with test faucets.
- kk. Washing machine drain lines shall have an air-gap separation to sewer.
- ll. Sinks and bathtub faucets shall have an air-gap separation above flood level rims.
- mm. Commercial car washing installations with potable makeup water lines to reclaim water pits shall have an air-gap separation. All potable water connections to fluids such as bug cleaner, tire cleaner, wax and soap solution make-up tanks shall have an air-gap separation. If it is not possible due to the design of equipment, a reduced pressure backflow preventer shall be installed on main water service connection serving the car wash.
- nn. Water operated presses, elevators or similar pressure producing equipment shall have a reduced pressure principle backflow preventer installed.
- oo. Automatic film processor with potable water lines connected directly to an automatic film processor shall be protected by an air-gap separation on a double-check, double-gate valve assembly with test clocks.
- pp. Dark rooms. All threaded faucets shall be protected with a vacuum breaker.
- qq. Lawn sprinkler shall have a vacuum breaker or an approved double-check valve assembly installed.
- rr. Dishwashing machines shall be equipped with a vacuum breaker on both hot and cold water supply lines in accordance with the North Carolina Standard Plumbing Code.
- ss. Private wells shall not be interconnected with the public water supply.

- tt. In all buildings or premises where security requirements or other prohibitions or restrictions make it impossible or impractical to make a complete inside cross-connection survey, the public water system shall be protected against backflow from the premises or building by a reduced pressure principle backflow preventer installed on the main service connections serving the building or premises.
- uu. Any device, equipment or situation not covered by this cross-connection policy where water is connected or used, which may constitute a potential health hazard will be handled at the discretion of the water purveyor or his authorized agent.
- vv. Under no circumstances shall rivers, ponds, or raw sewage be interconnected to the potable water system.

3.4.10 - Testing of reduced pressure backflow preventors

- a. It shall be the duty of the Customer/user at any premises where reduced pressure backflow prevention devices are installed to have thorough inspections and operational tests made at least once a year, or more often in those instances where inspections indicate a need.
- b. These inspections and tests shall be at the expense of the water user and be performed by the device's manufacturer representative or by a person approved by the North Carolina Department of Natural Resources.
- c. The water purveyor will notify the Customer/user when tests are required and supply the necessary test forms and instructions. These forms will be completed and returned to the water purveyor by the date indicated.

3.4.11 - Testing of double-check valve assemblies

- a. It shall be the duty of the Customer/user at any premises where double-check, double-gate valves are installed to have thorough inspections and operational tests quarterly or more often in those instances where inspections indicate a need.
- b. These inspections and tests shall be at the expense of the water Customer/user and be performed by the device's manufacturer representative or by a person approved by the North Carolina Department of Natural Resources.

3.4.12 - Results of noncompliance

- a. A customer's health hazard surveillance report listing all cross-connections found during the inspection will be sent to the

owner, or authorized agent of the owner of the building or the premises, stating what corrections should be made and setting a reasonable time for compliance. Upon failure of the owner or authorized agent of the owner of the building, or premises to have the defect(s) corrected by the specified time, the water purveyor may cause the water service to the building or premises to be terminated.

- b. The water purveyor may cause discontinuance of water service if a reduced pressure backflow prevention device has been bypassed or failed to be tested or properly maintained as required by the policies of the Town.
- c. The water purveyor may cause discontinuance of water service if an air-gap separation system is compromised.

SECTION 3.5 - FIRE PROTECTION SERVICE

3.5.1 - Town Hydrants

Location of Hydrants: The number of hydrants needed in any area depends upon the water flow required. Since street intersections are usually the best locations for hydrants, the standard policy shall be to place at least one hydrant at each intersection and to add intermediate hydrants, when necessary, to attain standard distribution, as required by Section 3.2 of this Policy.

3.5.2 - Private Fire Line

a. General:

Private protection is provided from the Water System through fire service connections intended to supply sprinklers, standpipe, water spray, foam, and yard hydrant systems located on private property. Fire service connections are required to extend from the Water System directly to the private fire extinguishing system with no connections for domestic use located downstream of the detector-check valve and meter.

b. Intent:

It is the intent of this policy to prohibit any and all losses of water from fire lines serving private property except for authorized testing and maintenance as provided for in Section 3.5.2 (e), of this Policy and actual fire suppression purposes. Such prohibited losses include but are not limited to leakage (whether from the underground systems, systems within buildings, valves and other appurtenances), consumption of water through the private fire line system by the opening of fire hydrants or taps within the system and any unauthorized testing of the system.

c. Detectors Required:

1. All new and existing fire line connections to private property shall be equipped, at the expense of the owner, with a detector-check valve and meter assembly.
2. All detector-check valves and meter assemblies installed after the 20th day of March 1995 shall be reduced pressure type double check, double gate valve assemblies consisting of a mainline reduced pressure configured backflow assembly in parallel with a by-pass meter assembly. The by-pass meter assembly shall consist primarily of a bronze positive displacement water meter in series with a bronze reduced pressure backflow preventer and shall be equipped with shutoff valves and testcocks. The mainline gate valves are considered integral to the assembly and shall be of the resilient wedge, OS & Y type, UL/FM listed for fireline service and shall be

equipped with testcocks. Assemblies must be factory assembled and tested to assure proper backflow protection and mainline/by-pass balance and cross-over performance.

Reduced pressure detector assemblies shall meet all specifications of and shall be approved by the USC Foundation for Cross Connection Control and Hydraulic Research and the American Society of Sanitary Engineers.

Underground vaults for reduced pressure detector assemblies shall include a four (4) inch minimum diameter free discharge drain to daylight. If the topography of the site provides no location where drain pipe can be daylighted with an underground vault, the reduced pressure detector and gate valve assembly shall be installed in an above ground, heated, weatherproof structure with a daylighted drain.

Prior to installation of any new or replacement detector-check valve and meter the customer (owner) shall submit specifications of the detector-check valve and detailed plans of the installation to the Town for approval.

d. Charges for fire line Connections:

1. All fire line connections of the water system for the Town shall be subject to a minimum monthly charge. Minimum monthly fire line charges shall levied by the Water Department according to the applicable Rates, Fees and Charges Schedule, based upon the square inch size of the line at the following rate:
2. It shall be the duty of the Water Department to have the detector-check valve meters read on the same schedule and in the same manner as all other water meters on the water system.
3. If during any month the detector-check valve meter for the fire line shows a consumption of more than 100 gallons of water on the fire line the customer (owner) shall be billed, in lieu of the minimum monthly charge (as provided for in Section 3.5.2(d)(1), according to the following schedule:

Fire line size	Current charge for Gallons:
2"	18,000
3"	36,000
4"	56,000
6"	112,000

8"	180,000
10"	258,000

4. If the monthly readings show consumption of water on the fire line for three (3) consecutive months, it shall be the duty of the water billing department to notify the Town Manager that a violation of the provisions of this Policy may exist and furnish the Town Manager with the billing records for the fire line showing consumption for three consecutive months. The Town Manager shall immediately send to the customer a notice that there has been consumption of water on the customers fire line for three consecutive months and inform the customer that said consumption is in violation of this Policy. Said notice shall be sent by Registered Mail to the normal billing address of the customer.
5. After receipt of the notice as provided for in Section 3.5.2(d)(4) above, the customer shall take whatever corrective measures are necessary to stop the unauthorized consumption of water on the fire line. If the detector-check valve meter indicates consumption for two (2) additional consecutive months (five consecutive months total) the Town Manager shall notify the customer that the water service to the fire line will be disconnected in 30 days. Said notice shall be sent by Registered Mail to the normal billing address of the customer and shall indicate the date that the fire line will be disconnected.

e. Testing of and Maintenance of Fire Lines and Alarm Systems:

1. Whenever it is necessary for the customer (owner) of any fire line serving private property to conduct tests of or perform maintenance on the private fire line system said customer (owner) shall notify the Water Department. Notice of the testing may be given by telephone to the Town Hall and shall be given at least twenty-four (24) hours prior to the scheduled time of the test.
2. Upon receipt of notice as provided for in this Section the Water Department shall shut off or remove the detector-check valve meter to assure that water used for testing purposes does not register as unauthorized consumption of water on the fire line. Any failure on the part of the Town to shut off or remove the detector-check valve meter will not be considered as unauthorized consumption if proper notice was given in accordance with Section 3.5.2 (e)(1) above.
3. Any testing or maintenance conducted without giving proper notice as provided for in this Section shall be considered as unauthorized consumption of water on the fire line.

f. Testing and Maintenance of Detector-Check Valves & Meters:

1. All new and existing detector-check valve and meter assemblies shall be tested in accordance with the provisions of Section 3.4 of this Policy and a report of all such tests shall be filed with the Town Manager.

SECTION 3.6 - CONNECTION AND SERVICE FEES

All Application, Connection and Service Fees shall be applicable as set forth in the Rates, Fees and Charges schedule.

SECTION 3.7 - BILLING ADJUSTMENTS

3.7.1 - Adjustment of Water Bills

All water customers shall be charged for all water which passes through their meter as indicated by the monthly meter reading. Except as may be provided for in Section 3.7.3, no adjustments in water charges shall be made for any water which may be wasted due to leaks or open taps on the customers side of the water meter.

Sewer charges are levied in accordance with rules and regulations of The Metropolitan Sewer District. No adjustment of sewer charges will be made by the Town except in strict accordance with the policies of MSD.

The provisions of this section shall in no way restrict the Town from correcting any water bill which is in error due to an error in metering or in billing.

3.7.2 - Meter Inaccuracy

If a meter shall have become inaccurate, water service shall be charged based on estimated consumption calculated on the basis of previous consumption for the lesser of (12) months or the length of time said meter was in place. The account adjustment shall apply for the period during which it may appear such meter inaccuracy may have occurred.

3.7.3 - Adjustment by Town Manager

If a water customer receives an exceptionally high water bill due to events beyond the customer's reasonable control (such as a broken water line which is not immediately apparent), said customer may apply to the Town Manager in writing, explaining the circumstances which resulted in the loss of water and request an adjustment of the high water bill.

If the Town Manager determines that the high water bill is a result of water loss which was beyond the customer's reasonable control and the customer took reasonable action to stop the loss as soon as it was discovered, the Town Manager shall have the authority to adjust the bill. The adjusted bill shall be based upon customer's average monthly consumption for the lesser of twelve (12) month or the length of time customer has been at this address.

Only one such adjustment shall be applied to any single account during a twenty-four (24) month period.

SECTION 3.8 - (Reserved)

SECTION 3.9 - INTERRUPTION OF SERVICE

3.9.1 - General

The Town will make reasonable efforts to avoid interruptions of service but does not guarantee to the Customer any fixed pressure or continuous service. When service interruptions occur, service will be reestablished within the shortest time practicable. The Town shall not be liable for any loss or damages of any kind whatsoever for any interruption of service.

The Town reserves the right to stop and restrict the supply of water whenever it may be found necessary and the Town shall not be liable under any circumstances for a deficiency or failure in the supply of water, whether occasioned by shutting off water to make repairs or connections or for any cause whatsoever.

Planned interruption, where practical, will be made at times that will not cause unreasonable inconvenience to Customers and reasonable efforts will be made to give prior notice to those Customers who will be affected. Failure to notify a Customer of such interruption, however, shall not be grounds for damages.

3.9.2 - Pressure Fluctuations

A pressure reducing valve shall be required in all homes, apartments and business buildings to provide protection against variations in pressure.

The Town shall not be liable for any damages to a Customer's plumbing or property caused by high pressure, by low pressure, or by fluctuation in pressure in the Town's water mains. The piping and connections beyond the meter shall be kept in good repair and maintained by the Customer/user.

ARTICLE 4

MAINTENANCE, OPERATIONS AND CONTRACTS

SECTION 4.1 - MAINTENANCE OF SERVICE CONNECTION

The Town shall be responsible for the maintenance and upkeep of the Water System up to and including the service line and the meter within the public right-of-way unless otherwise approved in writing by the Town Manager. The piping and connections beyond the meter shall be kept in good repair and maintained by the Customer/user.

SECTION 4.2 - TERMINATION

The Town Council shall have the right to discontinue service to any Licensed Premises wherein the Customer/user does not maintain the piping and connections in good repair.

SECTION 4.3 - GOVERNMENTAL SERVICE

System services at all Town facilities shall be metered. By way of example and not by way of limitation, these shall include water fountains, Town Hall, street flushers, etc.

SECTION 4.4 - CLAIMS

4.4.1 - Claims Covered by an Insurance Policy

Any and all claims against the Town for injuries or damages in any way related to the Systems and/or their operation, which claims are covered by the Town's policies of insurance, shall be referred to the Town Attorney for handling.

4.4.2 - Non-insurance Claims

Any and all claims against Town which are not covered by insurance shall be immediately referred to the Town Attorney for handling.

4.4.3 - Report of Claims

The Town Manager shall maintain a file containing the name of each claimant, the amount of the claim and a summary of the basis of the claims, for all claims related to the System whether covered by insurance or not. The Town Manager shall inform the Town Council of the disposition of each such claim in a formal report to the Town Council.

SECTION 4.5 - CONTRACTS

4.5.1 - Execution

Subject to the rules and regulations of the Town Council, the Town Manager or the Mayor have the right in the name of the Town to acquire, lease as lessor or lessee, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate the System or any part thereof within the Town's area of responsibility and make and enter into contracts, leases and agreements necessary or incidental thereto.

4.5.2 - Authorized Capital Projects

If the Town Council has previously approved and budgeted a specific capital project relating to the construction, improvement, extension, repair, maintenance or operation of the System, the Town Manager may make and enter into any contracts and/or agreements in the name of the Town necessary or incidental to said authorized capital project without prior approval of the Town Council if the cost of the contract does not exceed the limit established by North Carolina General Statutes for an informal contract. All formal as defined by North Carolina General Statutes must be awarded by the Town Council.

4.5.3 - Maintenance Projects

The Town Manager may make and enter into contracts and/or agreements in the name of the Town necessary for the improvement, repair, maintenance or operation of the Systems, even though any such improvement project had not been previously approved of and/or budgeted by the Town, if the estimated cost of the project or the actual cost of the contract does not exceed \$20,000.00.

4.5.4 - Contracts Executed by the Town Manager

Any and all contracts executed by the Town Manager in accordance with paragraphs 4.5.2 and 4.5.3 hereinabove shall be maintained in the files of the Town to be produced upon the request of the Town Council and shall be reported to the Town Council in a monthly report.

4.5.5 - Emergency Repairs

The Town Manager is authorized to sign any and all contracts and/or agreements which, in his discretion, are necessary to abate or repair an emergency situation arising out of the use, operation, maintenance, construction or repair of the Systems, if such emergency situation is believed by the Town Manager to adversely affect the health or welfare of the public. The Town Manager shall use every diligent effort to notify the Mayor as soon as possible before or after any such emergency contract is

executed and shall report it to the Town Council at its next regularly scheduled meeting.

ARTICLE 5

WATER SHORTAGE RESPONSE PLAN

SECTION 5.1 - PURPOSE

Publicly and privately owned water systems in North Carolina that are required to prepare a Local Water Supply Plan under General Statute 143-355(l) shall include a Water Shortage Response Plan (WSRP) outlining how the system will respond to drought or other water shortage emergencies and continue to meet essential public water supply needs during the emergency.

SECTION 5.2 - DEFINITIONS

In addition to the definitions provided in Article 1, the words defined in this section shall have the meaning herein ascribed:

Available Stream Flow: The flow at the Ivy River Raw Water Intake that will flow into the intake wet well. This is the total river flow minus any amount of said flow that cannot or will not flow freely into the intake wet well due to the topography of the stream bed.

Controlled Watering: Minimal watering required to conserve ornamental plants or vegetables by hand watering or manually operated fixed systems where such watering is fully supervised to prevent excess watering, runoff or waste during the watering process.

Emergency Use Restrictions: This is the most restrictive phase of the WSRP and is to be implemented when water supply shortages reach critically low levels. Only water uses that are absolutely essential are permitted during Emergency Use Restrictions. Penalties, fines and disconnection of water service apply to violations of Emergency Use Restrictions as outlined herein.

Mandatory Use Restrictions: This is Phase II of the WSRP and is divided into two sub-phases, Stage 1 and Stage 2 in order to provide flexibility in the application of mandatory water restrictions. Penalties, fines and disconnection of water service may apply to violations of mandatory conservation as outlined herein. Conservation measures taken during mandatory conservation are intended to reduce water use by 10 to 25 percent.

Total Production Capacity: The total amount of water that can be produced by the water system from all sources. This does not include water purchased from another system under any agreement or in emergency circumstances.

Voluntary Conservation: This Phase I of the WSRP is to be implemented when conditions indicate the potential for water supply shortages. Measures taken during this Phase are intended to reduce water use by 5 to 10 percent. Although there is no penalty for violations, voluntary conservation measures are

to be strongly encouraged or more stringent Mandatory Conservation may be imposed.

SECTION 5.3 - APPLICABILITY

The provision of this Article shall be applicable if and when a potable water shortage exists or is imminent, or if any other situation exists that threatens seriously to disrupt or diminish the municipal water supply including, but not limited to drought, waterline breaks or other large losses of water, contamination of the raw water supply, and extended power outages or other interruption in treatment plant operations.

SECTION 5.4 - AUTHORITY TO IMPLEMENT

If the availability of water so limits the water supply of the Weaverville Water System that unrestricted use of water may endanger the adequacy of water available to customers of the System the Public Works Director or, in the absence of the Public Works Director, the Operator in Responsible Charge (ORC) of the Ivy River Treatment Plant shall make a recommendation to the Town Manager or in the absence the Town Manager, the Mayor and he or she shall be responsible for enacting the Water Shortage Response Plan as outlined herein.

SECTION 5.5 - THREE PHASE RESPONSE PROGRAM

In the event of a water shortage or impending shortage as outlined herein the Town will respond based on the severity of the shortage and expected duration with the goal of bringing demand for drinking water in line with available supply.

The following three phase program is established for conservation purposes:

- Phase I - Voluntary Conservation
- Phase II - Mandatory Use Restrictions (MUR)
 - Stage 1 Mandatory Use Restrictions
 - Stage 2 Mandatory Use Restrictions
- Phase II - Emergency Use Restrictions

SECTION 5.6 - IMPLEMENTATION TRIGGERS AND RESPONSE

Each Phase shall be implemented as follows:

5.6.1 - Phase I - Voluntary Conservation

Triggers	Response
Average daily use exceeds 80% of total production capacity for a period of 7 consecutive days within a 30 day period and supplemental supply from Asheville is restricted or not available, or	<ul style="list-style-type: none"> • Public Works Director to report to Town Manager per Section 5.4. • Town Manager implements WSRP. • Town Manager to inform Town Council of situation.
System failure such as a water leak limits the ability to fill system reservoirs. Reservoir levels are maintained but not declining, or	<ul style="list-style-type: none"> • Notify local news media (Asheville Citizen-Times, WLOS-TV, etc.) and ask for public announcements. • Post notice at Town Hall. • Notify NCDENR that WSRP has been implemented.
Water plant operation is interrupted or limited on a temporary basis due to mechanical failure and adequate supplemental water is available from Asheville subject to Voluntary Conservation by the Asheville system, or	<ul style="list-style-type: none"> • Notify Weaverville, Reems Creek & Jupiter fire departments of WSRP implementation. • All notices listed above shall include the WSRP Phase of restriction and measures to be taken by the public to conserve water.
Any condition when the Town Manager and Public Works Director are in agreement that conditions warrant Voluntary Use Restrictions.	<ul style="list-style-type: none"> • Utilize water use reduction educational materials such as handouts and website if conditions is expected to continue for more than 30 days. • Begin monitoring per Section 5.10

5.6.2 - Phase II - Stage 1 Mandatory Use Restriction

Triggers	Response
Voluntary Conservation measures have been in place for at least 7 days and have failed to measurably reduce average daily consumption, or	<ul style="list-style-type: none"> • Same response as Phase I Voluntary Restrictions, plus • Town Manager will use CodeRED emergency notification system to inform customers of the Step 1, MUR and may repeat CodeRed announcements as necessary.
Any condition when the Town Manager, Public Works Director and Water Treatment ORC are in agreement that conditions warrant Stage 1 Mandatory Use Restrictions.	<ul style="list-style-type: none"> • Update all posted notices to include details of Step 1 MUR provisions and list schedule of penalties.

5.6.3 - Phase II - Stage 2 Mandatory Use Restriction

Triggers	Response
<p>Average daily use exceeds 90% of total production capacity for a period of 5 consecutive days and supplemental supply from Asheville is restricted or not available and Voluntary Conservation measures or Stage 1 Mandatory Use Restrictions have been in place for at least 7 days, or</p>	<ul style="list-style-type: none"> • Same response as Phase I Voluntary Restrictions, plus • Town Manager will use CodeRED emergency notification system to inform customers of the Stage 2, Mandatory Use Restrictions and will repeat CodeRed announcements on weekly basis. • Update all posted notices to include details of Stage 2, Mandatory Use Restrictions provisions and list schedule of penalties. • Contact all commercial and industrial users by personal visits or telephone and advise them of the details of Stage 2, Mandatory Use Restrictions and penalties. • Contact local homeowner's associations and ask them to include notice of water use restrictions in newsletters and e-mails to members.
<p>Water demand from the Ivy River Treatment Plant exceeds 50% available stream flow at the raw water intake for 2 consecutive days after Stage 1 Mandatory Use Restrictions have been in place for 7 days, or</p>	
<p>System failure such as a water leak limits the ability to fill system reservoirs and reservoirs are declining. System failure is not expected to be corrected before system reservoirs drop below a one day supply at current daily demand rate, or</p>	
<p>Water plant operation is interrupted or limited on a temporary basis due to mechanical failure and water is available from Asheville but subject to Mandatory Use Restrictions by the Asheville system, or</p>	
<p>Any condition when the Town Manager, Public Works Director and Water Treatment ORC are in agreement that conditions warrant Stage 1 Mandatory Use Restrictions.</p>	

5.6.4 - Phase III - Emergency Use Restriction

Triggers	Response
Average daily use exceeds 95% of total production capacity for a period of 3 consecutive days and supplemental supply from Asheville is restricted or not available and Stage 2 Mandatory Use Restrictions have been in place for at least 7 days, or	<ul style="list-style-type: none"> • Same response as Phase I Voluntary Restrictions, plus • Town Manager will use CodeRED emergency notification system to inform customers of the Emergency Use Restrictions and will repeat CodeRed announcements on weekly basis. • Update all posted notices to include details of Emergency Use Restrictitons provisions and list schedule of penalties. • Contact all commercial and industrial users and advise them of the details of Step 2 MUR provisions. • Contact local homeowner's associations and ask them to include notice of water use restrictions in newsletters and e-mails to members.
Water demand from the Ivy River Treatment Plant exceeds 75% available stream flow at the raw water intake for 2 consecutive days after Phase II, Step 2 Mandatory Use Restrictions have been in place for 5 days, or	
Any condition that limits the ability to fill system reservoirs and system reservoir levels have dropped below a one day supply, or	
Water plant operation is interrupted or limited by mechanical failure, interruption time is undetermined and supplemental water is not available from Asheville or Emergency Use Restrictions are in place on the Asheville system, or	
Any condition by majority vote of Town Council in regular or special session upon recommendation by the Town Manager.	

SECTION 5.7 - ESTABLISHMENT OF USE CLASSIFICATIONS

In order to facilitate a fair and equitable WSRP, every water use will be classified into one of three classifications as follows:

5.7.1 - Class I - Essential Water Uses

Table 5.7.1 - Essential Water Uses	
a. Domestic	<ul style="list-style-type: none"> Water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation, including necessary food preparation.
b. Health Care	<ul style="list-style-type: none"> Patient care and rehabilitation. The filling and operation of swimming pools for health care and rehabilitation purposes.
c. Public Use	<ul style="list-style-type: none"> Fire fighting. Water system flushing for health and public protection purposes.
d. All	<ul style="list-style-type: none"> The use of a minimal amount of water necessary to clean any surface which a health official has determined to be contaminated in a manner effecting health and safety. The washing of vehicles where the health and safety of the public requires frequent cleaning such as those that transport food and other perishables and vehicles used to transport sick or injured persons such as ambulances.

5.7.2 - Class II - Socially or Economically Important Uses

Table 5.7.2 - Socially or Economically Important Uses	
a. Domestic	<ul style="list-style-type: none"> Home water use including kitchen, bathroom and laundry use. Controlled watering or drip irrigation of vegetable gardens. Watering of trees, shrubs and flowering plants where necessary to preserve them by controlled watering or drip irrigation.
b. Commercial	<ul style="list-style-type: none"> Commercial vehicle washes and laundromats. Restaurants and hotels. Irrigation for commercial nurseries at a minimum level necessary to maintain stock. Controlled watering at a minimum rate necessary to establish vegetation following grading/building where such vegetation is required by law or regulation. Minimum amount required to maintain essential cooling operations.
c. Public Use	<ul style="list-style-type: none"> Filling and operation of public swimming pools which serve more than 25 residents. Testing and drills by the Fire Department performed in the interest of public safety when specifically approved by the Town Manager.
d. Industrial	<ul style="list-style-type: none"> Minimum use necessary to operate production facilities and maintain jobs. Minimum amount required to maintain essential cooling operations.
e. All	<ul style="list-style-type: none"> The cleaning or power washing of building exteriors prior to painting or repair and not solely for aesthetic purposes.

5.7.3 - Class III - Non-Essential Uses

a. All	<ul style="list-style-type: none"> Ornamental uses such as fountains and artificial waterfalls. Filling and operation for recreational swimming pools which serving fewer than 25 residents and which are not open to the general public. Washdown of driveway and other impervious surfaces except as provided for in Section 5.6.1. Non-commercial washing of motor vehicles, campers, boats, etc. except as provided for in Section 5.6.1. Allowing any tap, hose or pipe to run open for any purpose.
b. Residential	<ul style="list-style-type: none"> Lawn irrigation. Automatic irrigation of trees, shrubs, and ornamental plants except when limited to one watering per week between the hours of 4 a.m. and 7 a.m.
c. Commercial	<ul style="list-style-type: none"> Serving water in restaurants except by request. Cooling systems that rely solely on evaporation.
d. Public Use	<ul style="list-style-type: none"> Irrigation of lawns, gardens, parks, playing fields and recreational areas.

SECTION 5.8 - USE RESTRICTIONS

Upon implementation of water restrictions Phase I through Phase III as outlined herein, all water usage by customers of the Weaverville Water System shall immediately respond by conserving water according to the following table. Any water system purchasing water from the Weaverville Water System shall implement similar conservation measures on said system or immediately discontinue using Weaverville water.

Use Class	Phase I Voluntary Conservation	Phase II Step 1 Mandatory Use Restrictions	Phase II Step 2 Mandatory Use Restrictions	Phase III Emergency Use Restrictions
Class 1. Essential	Voluntary Conservation	Voluntary Conservation	Voluntary Conservation	Additional Conservation
Class 2. Socially or Economically Important	Voluntary Conservation	Voluntary Conservation	Additional Conservation	Prohibited
Class 3. Non-Essential	Voluntary Conservation	Prohibited	Prohibited	Prohibited

SECTION 5.9 - ENFORCEMENT PENALTIES

5.9.1 - Penalties

The following penalties outlined in the following table shall be imposed for violations of the provisions of the Article.

Offence	Phase I Voluntary Conservation	Phase II Steps 1 & 2 Mandatory Use Restrictions	Phase III Emergency Use Restrictions
FIRST	Issue Public Awareness Notice	Notice of Violation	\$100 Fine
SECOND	Issue Public Awareness Notice	\$100 Fine	\$ 500 Fine
THIRD	Issue Public Awareness Notice	\$ 250 Fine	Disconnection of Service
More than 3 Offenses	Issue Public Awareness Notice	Disconnection of Service	N/A

5.9.2 - Fines, Disconnection and Reinstatement

The Town Manager is hereby authorized to disconnect water service to any customer who repeatedly violates the provisions of this Article in accordance with the Penalties outlined herein.

All Fines prescribed for violations of this Water Shortage Response Plan shall be enforceable in the same manner as any other fees and charges for water service from the Town.

Should it become necessary to disconnect the water service from any premises in accordance with Table 5.9.1 said water service will not be restored until that Phase of the water restrictions have been lifted. Said service shall be subject to a Reconnection Fee in the same manner as a water service that has been terminated for non-payment.

SECTION 5.9 - MONITORING

The Weaverville water system is equipped with Supervisory Control and Data Acquisition Systems (SCADA) which continuously monitor critical data, including all system reservoirs, the level of the Ivy River at the intake, and water production and pumping flow rates. Monitored data is retained in historical files readily available for review and trending. The SCADA systems will be used as the primary source of data for monitoring of water supply conditions.

During any stage of implementation of the WSRP the Public Works Director and the Ivy River Treatment ORC shall monitor the effectiveness of any Phase of the WSRP by reviewing water demand, weather forecasts, system reservoir levels, etc. in accordance with the following table:

Table 5.9 - System Monitoring	
WSRP Restriction Level	Review Schedule
Voluntary Conservation	Weekly
Stage 1, Mandatory Use Restrictions	Weekly
Stage 2, Mandatory Use Restrictions	Daily
Emergency Use Restrictions	Twice Daily

SECTION 5.10 - DURATION

Any water shortage declaration as provided herein shall remain in effect until it has been determined that water supplies and service conditions have returned to normal. The decision to issue, upgrade, downgrade or withdraw the level of declaration will be made in the same manner as described in Section 5.4 of this Article.

