

TITLE 18

WATER AND SEWERS¹

CHAPTER

1. WATER AND SEWER SYSTEM ADMINISTRATION.
2. SEWAGE.
3. CROSS CONNECTIONS, AUXILIARY INTAKES, ETC.

CHAPTER 1

WATER AND SEWER SYSTEM ADMINISTRATION

SECTION

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¹Municipal code references

Building, utility and housing codes: title 12

Refuse disposal: title 17

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18-101. Application and scope. These rules and regulations are a part of all contracts for receiving water service from the town and shall apply whether the service is based upon contract, agreement, signed application, or otherwise. (1978 Code, § 13-101)

18-102. Definitions. (1) "Customer" means any person, firm, or corporation who receives water service from the town under either an express or implied contract.

(2) "Household" means any two or more persons living together as a family group.

(3) "Service line" shall consist of the pipe line extending from any water main of the town to private property. Where a meter and meter box are located on private property, the service line shall be construed to include the pipe line extending from the town's water main to and including the meter and meter box.

(4) "Discount date" shall mean the date ten (10) days after the date of a bill, except when some other date is provided by contract. The discount date is the last date upon which water bills can be paid at net rates.

(5) "Dwelling" means any single structure, with auxiliary buildings, occupied by one or more persons or households for residential purposes.

(6) "Premise" means any structure or group of structures operated as a single business or enterprise, provided, however, the term "premise" shall not include more than one dwelling. (1978 Code, § 13-102)

18-103. Obtaining service. An application for either original or additional service must be made and be approved by an authorized representative of the town before any water connection or meter installation will be made.

No meter shall be installed for new construction unless a building permit has been issued. (1978 Code, § 13-103)

18-104. Application for service. Each prospective customer desiring water service will be required to make application therefor before service is supplied. If, for any reason, a customer, after applying for water service, does not take the service by reason of not occupying the premises or otherwise, he shall reimburse the town for the expense incurred by reason of its endeavor to furnish said service.

The receipt of a prospective customer's application for service, regardless of whether or not accompanied by a deposit, shall not obligate the town to render the service applied for. If the service applied for cannot be supplied in accordance with these rules, regulations, and general practice, the liability of

the town to the applicant for such service shall be limited to the return of any deposit made by such applicant. (1978 Code, § 13-104)

18-105. Service charges for temporary service. Customers requiring temporary service shall pay all costs for connection and disconnection incidental to the supplying and removing of service in addition to the regular charge for water used. (1978 Code, § 13-105)

18-106. Connection charges. Service lines will be laid by the town from the existing water mains to the property line of the applicant. The location of such lines will be determined by the town.

Before a new service line will be laid by the municipality, the applicant shall pay a water tap fee and a connection fee in accordance with water rate and fee schedules as the town may from time to time adopt by resolution.

When a service line is completed, the town shall be responsible for the maintenance and upkeep of such service line from the main to and including the meter and meter box, and such portion of the service line shall belong to the town. The remaining portion of the service line beyond the meter box shall belong to and be the responsibility of the customer. (1978 Code, § 13-106, modified)

18-107. Main extensions. Whenever the board of mayor and aldermen is of the opinion it is to the best interest of the water system to construct a water main extension such extension may be constructed upon such terms and conditions as shall be approved by a majority of the members of the board of mayor and aldermen. (1978 Code, § 13-107, as replaced by Ord. #97-1, March 1997)

18-108. Meters. All meters shall be installed, tested, repaired and removed by the town.

No one shall do anything which will in any way interfere with or prevent the operation of a meter. No one shall tamper with or work on a water meter without the written permission of the town. No one shall install any pipe or other device which will cause water to pass through or around a meter without the passage of such water being registered fully by the meter. (1978 Code, § 13-108)

18-109. Meter tests. The town will, at its own expense, make routine tests of meters when it considers such tests desirable.

In testing meters, the water passing through a meter will be weighed or measured at various rates of discharge and under varying pressures. To be considered accurate, the meter registration shall check with the weighed or measured amounts of water within the percentage shown in the following table:

<u>Meter Size</u>	<u>Percentage</u>
5/8", 3/4", 1", 2"	2%
3"	3%
4"	4%
6"	5%

The town will also make tests or inspections of its meters at the request of the customer. (1978 Code, § 13-109)

18-110. Schedule of rates. All water furnished by the municipality shall be measured or estimated in gallons to the nearest multiple of 100 and shall be furnished under such rate schedules as the town may from time to time adopt by resolution. (1978 Code, § 13-110)

18-111. Multiple services through a single meter. No customer shall supply water service to more than one dwelling or premise from a single service line and meter without first obtaining the written permission of the municipality.

Where the town allows more than one dwelling or premise to be served through a single service line and meter, the amount of water used by all the dwellings and premises served through a single service line and meter shall be allocated to each separate dwelling or premise served.

The water charge for each such dwelling or premise thus served shall be computed just as if each such dwelling or premise had received through a separately metered service the amount of water so allocated to it, such computation to be made at the town's applicable water rates schedule, including the provisions as to minimum bills. The separate charges for each dwelling or premise served through a single service line and meter shall then be added together, and the sum thereof shall be billed to the customer in whose name the service is supplied. (1978 Code, § 13-111)

18-112. Billing. Bills for residential service will be rendered monthly.

Bills for commercial and industrial service may be rendered weekly, semi-monthly, or monthly, at the option of the municipality.

Water bills must be paid on or before the discount date shown thereon to obtain the net rate, otherwise the gross rate shall apply. Failure to receive a bill will not release a customer from payment obligation, nor extend the discount date.

In the event a bill is not paid on or before five (5) days after the discount date, a written notice shall be mailed to the customer. The notice shall advise the customer that his service may be discontinued without further notice if the bill is not paid on or before ten (10) days after the discount date. The town shall not be liable for any damages resulting from discontinuing service under the

provisions of this section, even though payment of the bill is made at any time on the day that service is actually discontinued.

Should the final date of payment of bill at the net rate fall on Sunday or a holiday, the business day next following the final date will be the last day to obtain the net rate. The net remittance received by mail after the time limit for payment at the net rate will be accepted by the municipality if the envelope is date-stamped on or before the final date for payment of the net amount.

If a meter fails to register properly, or if a meter is removed to be tested or repaired, or if water is received other than through a meter, the town reserves the right to render an estimated bill based on the best information available. (1978 Code, § 13-112)

18-113. Discontinuance or refusal of service. The board of mayor and aldermen shall have the right to discontinue service or to refuse to connect service for a violation of, or a failure to comply with, any of the following:

- (1) These rules and regulations.
- (2) The customer's application for service.
- (3) The customer's contract for service.

Such right to discontinue service shall apply to all service received through a single connection or service, even though more than one customer or tenant is furnished service therefrom, and even though the delinquency or violation is limited to only one such customer or tenant.

Discontinuance of service by the municipality for any cause stated in these rules and regulations shall not release the customer from liability for service already received or from liability for payments that thereafter become due under other provisions of the customer's contract. (1978 Code, § 13-113)

18-114. Re-connection charge. Whenever service has been discontinued as provided for above, a re-connection fee in accordance with the water rate and fee schedules as the town may from time to time adopt by resolution, shall be collected by the town before service is restored. (1978 Code, § 13-114, modified)

18-115. Termination of service by customer. Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days notice to that effect unless the contract specifies otherwise. Notice to discontinue service prior to the expiration of a contract term will not relieve the customer from any minimum or guaranteed payment under such contract or applicable rate schedule.

When service is being furnished to an occupant of premises under a contract not in the occupant's name, the town reserves the right to impose the following conditions on the right of the customer to discontinue service under such a contract:

- (1) Written notice of the customer's desire for such service to be discontinued may be required; and the municipality shall have the right to

continue such service for a period of not to exceed ten (10) days after receipt of such written notice, during which time the customer shall be responsible for all charges for such service. If the municipality should continue service after such ten (10) day period subsequent to the receipt of the customer's written notice to discontinue service, the customer shall not be responsible for charges for any service furnished after the expiration of such ten (10) day period.

(2) During such ten (10) day period, or thereafter, the occupant of premises to which service has been ordered discontinued by a customer other than such occupant, may be allowed by the town to enter into a contract for service in the occupant's name upon the occupant's complying with these rules and regulations with respect to a new application for service. (1978 Code, § 13-115)

18-116. Access to customers' premises. The town's identified representatives and employees shall be granted access to all customers' premises at all reasonable times for the purpose of reading meters, for testing, inspecting, repairing, removing, and replacing all equipment belonging to the town, and for inspecting customer's plumbing and premises generally in order to secure compliance with these rules and regulations. (1978 Code, § 13-116)

18-117. Inspections. The town shall have the right, but shall not be obligated, to inspect any installation or plumbing system before water service is furnished or at any later time. The town reserves the right to refuse service or to discontinue service to any premises not meeting standards fixed by the town ordinances regulating building and plumbing, or not in accordance with any special contract, these rules and regulations, or other requirements of the town.

Any failure to inspect or reject a customer's installation or plumbing system shall not render the town liable or responsible for any loss or damage which might have been avoided, had such inspection or rejection been made. (1978 Code, § 13-117)

18-118. Customer's responsibility for system's property. Except as herein elsewhere expressly provided, all meters, service connections, and other equipment furnished by or for the town shall be and remain the property of the town. Each customer shall provide space for and exercise proper care to protect the property of the municipality on his premises. In the event of loss or damage to such property, arising from the neglect of a customer to properly care for same, the cost of necessary repairs or replacements shall be paid by the customer. (1978 Code, § 13-118)

18-119. Customer's responsibility for violations. Where the town furnishes water service to a customer, such customer shall be responsible for all violations of these rules and regulations which occur on the premises so served.

Personal participation by the customer in any such violations shall not be necessary to impose such personal responsibility on him. (1978 Code, § 13-119)

18-120. Supply and resale of water. All water shall be supplied within the town exclusively by the town and no customer shall, directly or indirectly, sell, sublet, assign, or otherwise dispose of the water or any part thereof, except with written permission from the town. (1978 Code, § 13-120)

18-121. Unauthorized use or interference with water supply. No person shall turn on or turn off any of the town's stop cocks, valves, hydrants, spigots, fire plugs, or valves without permission or authority from the town. (1978 Code, § 13-121)

18-122. Limited use of unmetered private fire line. Where a private fire line is not metered, no water shall be used from such line or from any fire hydrant thereon, except to fight fire or except when being inspected in the presence of an authorized agent of the town.

All private fire hydrants shall be sealed by the town, and shall be inspected at regular intervals to see that they are in proper condition and that no water is being used therefrom in violation of these rules and regulations. When the seal is broken on account of fire, or for any other reason, the customer taking such service shall immediately give the town a written notice of such occurrence. (1978 Code, § 13-122)

18-123. Damages to property due to water pressure. The town shall not be liable to any customer for damages caused to his plumbing or property by high pressure, low pressure, or fluctuations in pressure in the town's water mains. (1978 Code, § 13-123)

18-124. Liability for cut-off failures. The town's liability shall be limited to the forfeiture of the right to charge a customer for water that is not used but is received from a service line under any of the following circumstances:

(1) After receipt of at least ten (10) days' written notice to cut off a water service, the town has failed to cut off such service.

(2) The town has attempted to cut off a service but such service has not been completely cut off.

(3) The town has completely cut off a service, but subsequently, the cut-off develops a leak or is turned on again so that water enters the customer's pipes from the town's main.

Except to the extent stated above, the town shall not be liable for any loss or damage resulting from cut-off failures. If a customer wishes to avoid possible damage for cut-off failures, the customer shall rely exclusively on privately owned cut-offs and not on the town's cut off. Also, the customer (and not the town) shall be responsible for seeing that his plumbing is properly drained and

is kept properly drained, after his water service has been cut off. (1978 Code, § 13-124)

18-125. Restricted use of water. In times of emergency or in times of water shortage, the town reserves the right to restrict the purposes for which water may be used by a customer and the amount of water which a customer may use. (1978 Code, § 13-125)

18-126. Interruption of service. The town will endeavor to furnish continuous water service, but does not guarantee to the customer any fixed pressure or continuous service. The town shall not be liable for any damages for any interruption of service whatsoever.

In connection with the operation, maintenance, repair and extension of the town water system, the water supply may be shut off without notice when necessary or desirable and each customer must be prepared for such emergencies. The town shall not be liable for any damages from such interruption of service or for damages from the resumption of service without notice after any such interruption. (1978 Code, § 13-126)

CHAPTER 2

SEWAGE

SECTION

- 18-201. When sanitary sewage disposal facilities are required.
18-202. Responsibility for installation and maintenance of facilities.
18-203. When a connection to the sanitary sewer is required.
18-204. When a septic tank is required.
18-205. When a septic tank or a sanitary pit privy is required.
18-206. Use of other than prescribed facilities.

18-201. When sanitary sewage disposal facilities are required. Any building or structure wherein people live, are employed, or congregate must be equipped with such sanitary facilities for sewage disposal as are prescribed by this chapter. (1978 Code, § 8-201)

18-202. Responsibility for installation and maintenance of facilities. The owner of any property required by this chapter to have sanitary facilities for sewage disposal shall be responsible for the proper installation of such facilities. The occupant or person having immediate use and control of such property shall be responsible for maintaining the facilities in a sanitary and usable condition unless by contractual arrangement between the parties the owner expressly agrees to retain such responsibility. (1978 Code, § 8-202)

18-203. When a connection to the sanitary sewer is required. Any building or structure within the meaning of section 18-201 and located on land which abuts upon a street or other public way containing a sanitary sewer must be equipped with sanitary sewage disposal facilities connected to such sanitary sewer. (1978 Code, § 8-203)

18-204. When a septic tank is required. Other such buildings and structures within the fire limits, but not located on land abutting on a street or other public way containing a sanitary sewer must be equipped with sanitary sewage disposal facilities connected to a septic tank approved by the health officer. (1978 Code, § 8-204)

18-205. When a septic tank or a sanitary pit privy is required. All other such buildings and structures located outside the fire limits¹ but not on land abutting on a street or other public way containing a sanitary sewer must be

¹Municipal code reference
Fire district: title 7, chapter 1.

equipped with sanitary sewage disposal facilities connected to a septic tank approved by the health officer unless he expressly authorizes and approves a sanitary pit privy. (1978 Code, § 8-205)

18-206. Use of other than prescribed facilities. Where this chapter requires a particular type of sewage disposal facility the use of any other type, or disposal by any other means, is hereby expressly prohibited unless approved by the health officer. The health officer is authorized to approve exceptions to the provisions of this chapter only when the lot size, soil composition, lay of the land, or other unusual circumstances makes the installation and use of the prescribed facilities unfeasible. Neither shall the health officer approve any installations under sections 18-204 or 18-205 unless conditions favor such installations as adequate for protection of the public health. (1978 Code, § 8-206)

CHAPTER 3

CROSS CONNECTIONS, AUXILIARY INTAKES, ETC.¹

SECTION

- 18-301. Definitions.
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- 18-303. Construction, operation, and supervision.
- 18-304. Statement required.
- 18-305. Inspections required.
- 18-306. Right of entry for inspections.
- 18-307. Correction of existing violations.
- 18-308. Use of protective devices.
- 18-309. Unpotable water to be labeled.
- 18-310. Violations.

18-301. Definitions. The following definitions and terms shall apply in the interpretation and enforcement of this chapter:

(1) "Public water system." The waterworks system furnishing water to the Town of Huntland for general use and which supply is recognized as the public water supply by the Tennessee Department of Health and Environment.

(2) "Cross connection." Any physical arrangement whereby the public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices through which, or because of which, backflow could occur are considered to be cross connections;

(3) "Auxiliary intake." Any piping connection or other device whereby water may be secured from a source other than that normally used.

(4) "Bypass." Any system of piping or other arrangement whereby the water may be diverted around any part or portion of a water purification plant.

(5) "Interconnection." Any system of piping or other arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain sewage or other waste or liquid which would be capable of imparting contamination to the public water supply.

¹Municipal code reference

Plumbing and related codes: title 12.

(6) "Person." Any individual, corporation, company, association, partnership, state, municipality, utility district, water cooperative or federal agency. (Ord. #86-4, Oct. 1986)

18-302. Standards. The Town of Huntland public water system is to comply with Tennessee Code Annotated, sections 68-221-701 through 68-221-719 as well as the Rules and Regulations for Public Water Systems, legally adopted in accordance with this code, which pertain to cross connections, auxiliary intakes, bypasses, and interconnections, and establish an effective ongoing program to control these undesirable water uses. (Ord. #86-4, Oct. 1986)

18-303. Construction, operation, and supervision. It shall be unlawful for any person to cause a cross connection to be made, or allow one to exist for any purpose whatsoever, unless the construction and operation of same have been approved by the Tennessee Department of Health and Environment and the operation of such cross connection, auxiliary intake, bypass or interconnection is at all times under the direct supervision of the public works superintendent of the Town of Huntland public water system. (Ord. #86-4, Oct. 1986)

18-304. Statement required. Any person whose premises are supplied with water from the public water supply and who also has on the same premises a separate source of water supply, or stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall file with the superintendent of public works a statement of the non-existence of unapproved or unauthorized cross connections, auxiliary intakes, bypasses, or interconnections. Such statement shall also contain an agreement that no cross connection, auxiliary intake, bypass, or interconnection will be permitted upon the premises. (Ord. #86-4, Oct. 1986)

18-305. Inspections required. It shall be the duty of the public works superintendent to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply are deemed possible. The frequency of inspections and reinspections, based on potential health hazards involved, shall be established by the superintendent of the Town of Huntland public water system and as approved by the Tennessee Department of Health and Environment. (Ord. #86-4, Oct. 1986)

18-306. Right of entry for inspections. The superintendent or his authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to the Huntland public water system for the purpose of inspecting the piping system or systems therein for cross connections, auxiliary intakes, bypasses, or interconnections. On request, the owner, lessee,

or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections. (Ord. #86-4, Oct. 1986)

18-307. Correction of existing violations. Any person who now has cross connections, auxiliary intakes, bypasses, or interconnections in violation of the provisions of this chapter shall be allowed a reasonable time within which to comply with the provisions of this chapter. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time shall be designated by the superintendent of the Town of Huntland public water system.

The failure to correct conditions threatening the safety of the public water system as prohibited by this chapter and the Tennessee Code Annotated, section 68-221-711, within a reasonable time and within the time limits set by the Huntland public water system shall be grounds for denial of water service. If proper protection has not been provided after a reasonable time, the utility shall give the customer legal notification that water service is to be discontinued and shall physically separate the public water supply from the customer's on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized person.

Where cross connections, interconnections, auxiliary intakes, or bypasses are found that constitute an extreme hazard of immediate concern of contaminating the public water system, the management of the water supply shall require that immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water supply from the on-site piping system unless the imminent hazard(s) is (are) corrected immediately. (Ord. #86-4, Oct. 1986)

18-308. Use of protective devices. Where the nature of use of the water supplied a premises by the water department is such that it is deemed:

- (a) impractical to provide an effective air-gap separation,
- (b) that the owner and/or occupant of the premises cannot, or is not willing, to demonstrate to the official in charge of the water system, or his designated representative, that the water use and protective features of the plumbing are such as to propose no threat to the safety or potability of the water system,
- (c) that the nature and mode of operation within a premises are such that frequent alterations are made to the plumbing,
- (d) there is a likelihood that protective measures may be subverted, altered, or disconnected, the superintendent of the Town of Huntland public water system or his designated representative, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is

contained therein. The protective device shall be a reduced pressure zone type backflow preventer approved by the Tennessee Department of Health and Environment as to manufacture, model, and size. The method of installation of backflow protective devices shall be approved by the superintendent of the public water system prior to installation and shall comply with the criteria set forth by the Tennessee Department of Health and Environment. The installation shall be at the expense of the owner or occupant of the premises.

Personnel of the Town of Huntland public water system shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by the superintendent or his designated representative. Water service shall not be disrupted to test the device without the knowledge of the occupant of the premises.

Where the use of water is critical to the continuance of normal operations or protection of life, property, or equipment, duplicate units shall be provided to avoid the necessity of discontinuing water service to test or repair the protective device or devices. Where it is found that only one unit has been installed and the continuance of service is critical, the superintendent shall notify, in writing, the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device. The water system shall require the occupant of the premises to make all repairs indicated promptly, to keep the unit(s) working properly, and the expense of such repairs shall be borne by the owner or occupant of the premises. Repairs shall be made by qualified personnel acceptable to the superintendent of the Huntland public water system.

The failure to maintain backflow prevention devices in proper working order shall be grounds for discontinuing water service to a premises. Likewise, the removal, bypassing, or altering of the protective devices or the installation thereof so as to render the devices ineffective shall constitute grounds for discontinuance of water service. Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the Town of Huntland public water system. (Ord. #86-4, Oct. 1986)

18-309. Unpotable water to be labeled. In order that the potable water supply made available to premises served by the public water supply shall be protected from possible contamination as specified herein, any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE

FOR DRINKING

The minimum acceptable sign shall have black letters at least one-inch high located on a red background. (Ord. #86-4, Oct. 1986)

18-310. Violations. The requirements contained herein shall apply to all premises served by the Town of Huntland public water system whether located inside or outside the corporate limits and are hereby made a part of the conditions required to be met for the town to provide water services to any premises. Such action, being essential for the protection of the water distribution system against the entrance of contamination which may render the water unsafe healthwise, or otherwise undesirable, shall be enforced rigidly without regard to location of the premises, whether inside or outside the Town of Huntland corporate limits.

Any person who neglects or refuses to comply with any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction therefore, shall be fined not less than ten dollars (\$10) nor more than one hundred dollars (\$100), and each day of continued violation after conviction shall constitute a separate offense. (Ord. #86-4, Oct. 1986)