

TITLE 18

WATER AND SEWERS¹

CHAPTER

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2. SEWAGE AND HUMAN EXCRETA DISPOSAL.
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CHAPTER 1

WATER

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18-101. Application and scope. The provisions of this chapter are a part of all contracts for receiving water and sewer service from the City of St. Joseph 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 City of St. Joseph under either an expressed or implied contract.

(2) "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.

(3) "Dwelling" means any single structure, with auxiliary buildings, occupied by one (1) or more persons or households for residential purposes.

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

(5) "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 (1) dwelling.

(6) "Service line" shall consist of the pipe line extending from any water main of the city 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 city's water main to and including the meter and meter box. (1978 Code, § 13-102)

18-103. Obtaining service. A formal application for either original or additional service must be made and be approved by the city before connection or meter installation orders will be issued and work performed.(1978 Code, § 13-103)

18-104. Application and contract for service. Each prospective customer desiring water service will be required to sign a standard form contract and pay an application fee of one hundred fifty dollars (\$150.00) before service is supplied. The application fee shall be refundable if and only if the city cannot supply service in accordance with the terms of this chapter. If, for any reason, a customer, after signing a contract for service, does not take such service by reason of not occupying the premises or otherwise, he shall reimburse the city for the expense incurred by reason of its endeavor to furnish the service.

The receipt of a prospective customer's application for service, regardless of whether or not accompanied by a deposit, shall not obligate the city to render the service applied for. If the service applied for cannot be supplied in accordance with the provisions of this chapter and general practice, the liability of the city to the applicant shall be limited to the return of any deposit made by such applicant. (1978 Code, § 13-104, modified)

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 service. (1978 Code, § 13-105)

18-106. Connection charges. Service lines will be laid by the city from its mains to the property line at the expense of the applicant for service. The location of such lines will be determined by the city.

Before a new water service line will be laid by the city, the applicant shall pay a tap of four hundred dollars (\$400.00) for service within the corporate limits or five hundred dollars (\$500.00) for service outside the corporate limits.

This tap fee shall be used to pay the cost of laying such new service line and appurtenant equipment. If such cost exceeds the amount of the tap fee, the applicant shall pay to the city the amount of such excess cost when billed therefor.

When a service line is completed, the city 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 city. 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. Water main extensions. Persons desiring water main extensions must pay all of the cost of making such extensions. For water main extensions cement-lined cast iron pipe, class 150 American Water Works Association Standard (or other construction approved by the board of commissioners), not less than six inches (6") in diameter shall be used to the dead end of any line and to form loops or continuous lines, so that fire hydrants may be placed on such lines at locations no farther than one thousand feet (1,000') from the most distant part of any dwelling structure and no farther than six hundred feet (600') from the most distant part of any commercial, industrial, or public building, such measurements to be based on road or street distances; cement-lined cast iron pipe (or other construction approved by the board of commissioners) two inches (2") in diameter, to supply dwellings only, may be used to supplement such lines.

All such extensions shall be installed either by municipal forces or by other forces working directly under the supervision of the city in accordance

with plans and specifications prepared by an engineer registered with the State of Tennessee.

Upon completion of such extensions and their approval by the city, such water mains shall become the property of the city. The persons paying the cost of constructing such mains shall execute any written instruments requested by the city to provide evidence of the city's title to such mains. In consideration of such mains being transferred to it, the city shall incorporate said mains as an integral part of the municipal water system and shall furnish water service therefrom in accordance with these rules and regulations, subject always to such limitations as may exist because of the size and elevation of said mains. (1978 Code, § 13-108)

18-108. Variances from and effect of preceding section as to extensions. Whenever the board of commissioners is of the opinion that it is to the best interest of the city and its inhabitants to construct a water main extension without requiring strict compliance with the preceding section, such extension may be constructed upon such terms and conditions as shall be approved by the board of commissioners.

The authority to make water main extensions under the preceding section is permissive only and nothing contained therein shall be construed as requiring the city to make such extensions or to furnish service to any person or persons. (1978 Code, § 13-109)

18-109. Meters. All meters shall be installed, tested, repaired, and removed only by the city. Before service is begun a meter connection fee of seventy-five dollars (\$75.00) shall be paid by or on behalf of the customer.

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 city. 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, § 13-110, modified)

18-110. Meter tests. The city 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 city will also make tests or inspections of its meters at the request of the customer. However, if a test requested by a customer shows a meter to be accurate within the limits stated above, the customer shall pay a meter testing charge in the amount stated in the following table:

<u>Meter Size</u>	<u>Test Charge</u>
5/8", 3/4", 1"	\$2.00
1-1/2", 2"	5.00
3"	8.00
4"	12.00
6" and over	20.00

If such test shows a meter not to be accurate within such limits, the cost of such meter test shall be borne by the city. (1978 Code, § 13-111)

18-111. Schedule of rates. All water service shall be furnished under such rate schedules as the city may from time to time adopt by appropriate ordinance or resolution.¹ (1978 Code, § 13-112)

18-112. Multiple services through a single meter. No customer shall supply water service to more than one (1) dwelling or premise from a single service line and meter without first obtaining the written permission of the city.

Where the city allows more than one (1) 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 charges 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 city'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, § 13-113)

18-113. Billing. Bills for residential water service will be rendered monthly.

Bills for commercial and industrial service may be rendered weekly, semimonthly, or monthly, at the option of the city. Water service may be discontinued for non-payment of the bill.

¹Administrative ordinances and resolutions are of record in the recorder's office.

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 if the bill is not paid within ten (10) days, and the notice shall also advise the customer of his/her right to a hearing if requested in writing before that ten (10) day time period lapses, with the name, title, address and phone number of the person to whom the request for a hearing shall be forwarded. The City of St. Joseph 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. A net remittance received by mail after the time limit for payment at the net rate will be accepted by the city 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 city reserves the right to render an estimated bill based on the best information available. (1978 Code, § 13-114, modified)

18-114. Discontinuation or refusal of service. The city shall have the right to discontinue water 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, including the nonpayment of bills.
- (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 (1) customer or tenant is furnished service therefrom, and even though the delinquency or violation is limited to only one (1) such customer or tenant.

Discontinuance of service by the city 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, § 13-115)

18-115. Reconnection charge. Whenever service has been discontinued as provided for above, a reconnection charge of forty dollars (\$40.00) shall be collected by the city before service is restored. (1978 Code, § 13-116, modified)

18-116. Termination of service by customer. Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days written 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 city 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 city 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 city 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 the ten (10) day period.

(2) During the 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 city to enter into a contract for service in the occupant's own name upon the occupant's complying with these rules and regulations with respect to a new application for service. (1978 Code, § 13-117)

18-117. Access to customers' premises. The city'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 city, and for inspecting customers' plumbing and premises generally in order to secure compliance with these rules and regulations. (1978 Code, § 13-118)

18-118. Inspections. The city 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 city reserves the right to refuse service or to discontinue service to any premises not in compliance with any special contract, these rules and regulations, or other requirements of the city.

Any failure to inspect or reject a customer's installation or plumbing system shall not render the city liable or responsible for any loss or damage which might have been avoided had such inspection or rejection been made. (1978 Code, § 13-119)

18-119. 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 City of St. Joseph shall be and remain the property of the city. Each customer shall provide space for and exercise proper care to protect the property of the city on his premises. In the event of loss or damage to such property arising from the neglect of a customer to care for it properly, the cost of necessary repairs or replacements shall be paid by the customer. (1978 Code, § 13-120)

18-120. Customer's responsibility for violations. Where the City of St. Joseph 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, § 13-121)

18-121. Supply and resale of water. All water shall be supplied within the city exclusively by the City of St. Joseph, 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 city. (1978 Code, § 13-122)

18-122. Unauthorized use of or interference with water supply and waterworks system. No person shall turn on or turn off any of the city's stop cocks, valves, hydrants, spigots, or fire plugs without permission or authority from the city.

It shall be unlawful for any person or persons to tamper with, change, alter or molest any portion of the waterworks system of the City of St. Joseph, Tennessee including, but not confined to, pipes, valves, fire hydrants, water tank, meters, spring, spring house, pump, pumphouse, easements, right-of-way and other properties thereunto belonging, or to make any connections to the system without the permission of the recorder, or to reconnect service when it has been disconnected for nonpayment of a bill for service until such bill has been paid in full, including the reconnection fee. (1978 Code, § 13-123)

18-123. 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 city.

All private fire hydrants shall be sealed by the city, 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 city a written notice of such occurrence. (1978 Code, § 13-124)

18-124. Damages to property due to water pressure. The City of St. Joseph 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 city's water mains. (1978 Code, § 13-125)

18-125. Liability for cutoff failures. The city'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 city has failed to cut off such service.

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

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

Except to the extent stated above, the City of St. Joseph shall not be liable for any loss or damage resulting from cutoff failures. If a customer wishes to avoid possible damage for cutoff failures, the customer shall rely exclusively on privately owned cutoffs and not on the city's cutoff. Also, the customer (and not the city) 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, § 13-126)

18-126. Restricted use of water. In times of emergencies or in times of water shortage, the city 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, § 13-127)

18-127. Interruption of service. The city will endeavor to furnish continuous water and sewer service, but does not guarantee to the customer any fixed pressure or continuous service. The city shall not be liable for any damages for any interruption of service whatsoever.

In connection with the operation, maintenance, repair, and extension of the municipal water and sewer systems, the water supply may be shut off without notice when necessary or desirable and each customer must be prepared for such emergencies. The city 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, § 13-128)

18-128. Fluoridation of water supply. The water department of the City of St. Joseph, Tennessee, is hereby authorized and instructed to make plans for the fluoridation of the water supply of the City of St. Joseph, Tennessee, and to submit such plans to the Department of Public Health of the State of Tennessee for approval. Upon approval the water department shall add

chemicals such as fluoride to the water supply in accord with such approval as will adequately provide for the fluoridation of said water supply. The cost of such fluoridation will be borne by the revenues of the water department of the City of St. Joseph, Tennessee. (1978 Code, § 13-129)

CHAPTER 2

SEWAGE AND HUMAN EXCRETA DISPOSAL¹

SECTION

- 18-201. Definitions.
- 18-202. Places required to have sanitary disposal methods.
- 18-203. When a connection to the public sewer is required.
- 18-204. When a septic tank shall be used.
- 18-205. Registration and records of septic tank cleaners.
- 18-206. Use of pit privy or other method of disposal.
- 18-207. Approval and permit required for septic tanks, privies, etc.
- 18-208. Owner to provide disposal facilities.
- 18-209. Occupant to maintain disposal facilities.
- 18-210. Only specified methods of disposal to be used.
- 18-211. Discharge into watercourses restricted.
- 18-212. Pollution of groundwater prohibited.
- 18-213. Enforcement of chapter.
- 18-214. Carnivals, circuses, etc.

18-201. Definitions. The following definitions shall apply in the interpretation of this chapter.

(1) "Accessible sewer." A public sanitary sewer located in a street or alley abutting on the property in question or otherwise within two hundred feet (200') of any boundary of said property measured along the shortest available right-of-way.

(2) "Approved septic tank system." A watertight covered receptacle of monolithic concrete, either precast or cast in place, constructed according to plans approved by the health officer. Such tanks shall have a capacity of not less than seven hundred fifty (750) gallons and in the case of homes with more than two (2) bedrooms the capacity of the tank shall be in accordance with the recommendations of the Tennessee Department of Public Health as provided for in its 1967 bulletin entitled "Recommended Guide for Location, Design, and Construction of Septic Tanks and Disposal Fields." A minimum liquid depth of four feet (4') liquid of one foot (1'). The septic tank dimensions should be such that the length from inlet to outlet is at least twice but not more than three (3)

¹The regulations in this chapter governing the disposal of sewage and human excreta are recommended by the Tennessee Department of Public Health for adoption by cities in the interest of public health.

Municipal code references

Plumbing code: title 12.

Water administration and operation: title 18, chapter 1.

times the width. The liquid depth should not exceed five feet (5'). The discharge from the septic tank shall be disposed of in such a manner that it may not create a nuisance on the surface of the ground or pollute the underground water supply, and such disposal shall be in accordance with recommendation of the health officer as determined by acceptable soil percolation data.

(3) "Health officer." The person duly appointed to such position having jurisdiction, or any person or persons authorized to act as his agent.

(4) "Human excreta." The bowel and kidney discharges of human beings.

(5) "Other approved method of sewage disposal." any privy, chemical toilet, or other toilet device (other than a sanitary sewer, septic tank, or sanitary pit privy as described below) the type, location, and construction of which have been approved by the health officer.

(6) "Sanitary pit privy." A privy having a fly-tight floor and seat over an excavation in earth, located and constructed in such a manner that flies and animals will be excluded, surface water may not enter the pit, and danger of pollution of the surface of the ground or the underground water supply will be prevented.

(7) "Sewage." All water-carried human and household wastes from residences, buildings, or industrial establishments.

(8) "Watercourse." Any natural or artificial drain which conveys water either continuously or intermittently. (1978 Code, § 8-301)

18-202. Places required to have sanitary disposal methods. Every residence, building, or place where human beings reside, assemble, or are employed within the corporate limits shall be required to have a sanitary method for disposal of sewage and human excreta. (1978 Code, § 8-302)

18-203. When a connection to the public sewer is required. Wherever an accessible sewer exists and water under pressure is available, approved plumbing facilities shall be provided and the wastes from such facilities shall be discharged through a connection to said sewer made in compliance with the requirements of the official responsible for the public sewerage system. On any lot or premise accessible to the sewer no other method of sewage disposal shall be employed. (1978 Code, § 8-303)

18-204. When a septic tank shall be used. Wherever water carried sewage facilities are installed and their use is permitted by the health officer, and an accessible sewer does not exist, the wastes from such facilities shall be discharged into an approved septic tank system.

No septic tank or other water carried sewage disposal system except a connection to a public sewer shall be installed without the approval of the health officer or his duly appointed representative. The design, layout, and construction of such systems shall be in accordance with specifications approved by the

health officer and the installation shall be under the general supervision of the department of health. (1978 Code, § 8-304)

18-205. Registration and records of septic tank cleaners. Every person, firm, or corporation who operates equipment for the purpose of removing digested sludge from septic tanks, cesspools, privies, and other sewage disposal installations on private or public property must register with the health officer and furnish such records of work done within the corporate limits as may be deemed necessary by the health officer. (1978 Code, § 8-305)

18-206. Use of pit privy or other method of disposal. Wherever a sanitary method of human excreta disposal is required under section § 18-202 and water carried sewage facilities are not used, a sanitary pit privy or other approved method of disposal shall be provided. (1978 Code, § 8-306)

18-207. Approval and permit required for septic tanks, privies, etc. Any person, firm, or corporation proposing to construct a septic tank system, privy, or other sewage disposal facility, requiring the approval of the health officer under this chapter, shall before the initiation of construction obtain the approval of the health officer for the design and location of the system and secure a permit from the health officer for such system. (1978 Code, § 8-307)

18-208. Owner to provide disposal facilities. It shall be the duty of the owner of any property upon which facilities for sanitary sewage or human excreta disposal are required by § 18-202, or the agent of the owner to provide such facilities. (1978 Code, § 8-308)

18-209. Occupant to maintain disposal facilities. It shall be the duty of the occupant, tenant, lessee, or other person in charge to maintain the facilities for sewage disposal in a clean and sanitary condition at all times, and no refuse or other material which may unduly fill up, clog, or otherwise interfere with the operation of such facilities shall be deposited therein. (1978 Code, § 8-309)

18-210. Only specified methods of disposal to be used. No sewage or human excreta shall be thrown out, deposited, buried, or otherwise disposed of, except by a sanitary method of disposal as specified in this chapter. (1978 Code, § 8-310)

18-211. Discharge into watercourses restricted. No sewage or excreta shall be discharged or deposited into any lake or watercourse except under conditions specified by the health officer and specifically authorized by the Tennessee Stream Pollution Control Board. (1978 Code, § 8-311)

18-212. Pollution of groundwater prohibited. No sewage effluent from a septic tank, sewage treatment plant, or discharges from any plumbing facility shall empty into any well, either abandoned or constructed for this purpose, cistern, sinkhole, crevice, ditch, or other opening either natural or artificial in any formation which may permit the pollution of ground water. (1978 Code, § 8-312)

18-213. Enforcement of chapter. It shall be the duty of the health officer to make an inspection of the methods of disposal of sewage and human excreta as often as is considered necessary to insure full compliance with the terms of this chapter. Written notification of any violation shall be given by the health officer to the person or persons responsible for the correction of the condition, and correction shall be made within forty-five (45) days after notification. If the health officer shall advise any person that the method by which human excreta and sewage is being disposed of constitutes an immediate and serious menace to health such person shall at once take steps to remove the menace, and failure to remove such menace immediately shall be punishable under the general penalty clause for this code; but such person shall be allowed the number of days herein provided within which to make permanent correction. (1978 Code, § 8-313)

18-214. Carnivals, circuses, etc. Whenever carnivals, circuses, or other transient groups of persons come within the corporate limits such groups of transients shall provide a sanitary method for disposal of sewage and human excreta. Failure of a carnival, circus, or other transient group to provide such sanitary method of disposal and to make all reasonable changes and corrections proposed by the health officer shall constitute a violation of this section. In these cases the violator shall not be entitled to the notice of forty-five (45) days provided for in the preceding section. (1978 Code, § 8-314)

CHAPTER 3**CROSS-CONNECTIONS, AUXILIARY INTAKES, ETC.**¹**SECTION**

- 18-301. Definitions.
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- 18-308. Nonpotable supplies.
- 18-309. Provisions applicable.
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18-301. Definitions. The following definitions and terms shall apply in the interpretation and enforcement of this chapter.

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

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

(3) "Cross-connection." Any physical arrangement whereby a 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 changeover devices through which, or because of which, backflow could occur are considered to be cross-connections.

(4) "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 system.

(5) "Person." Any individual, corporation, company, association, partnership, state, municipality, utility district, water cooperative, or federal agency.

(6) "Public water system." The waterworks system furnishing water to the City of St. Joseph for general use and which supply is recognized as a

¹Municipal code reference

Plumbing and related codes: title 12.

public water system by the Tennessee Department of Environment and Conservation.

(7) "Superintendent." That person in charge of the operation of the St. Joseph waterworks system or the authorized representative of that person.

18-302. Compliance with Tennessee Code Annotated. The St. Joseph waterworks system is to comply with Tennessee Code Annotated, §§ 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.

18-303. Regulated. 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 Environment and Conservation, and the operation of such cross-connection, auxiliary intake, bypass or interconnection is at all times under the direct supervision of the director.

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 a statement that there is no 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.

18-305. Inspections. The superintendent shall inspect all properties served by the public water supply where cross-connections with the public water supply are possible. If in the opinion of the superintendent, after appropriate inspection, any work inspected under the terms of this chapter fails to comply with the law, and notice is given to the permittee or his agent, and any re-inspection of the same work is required, then a fee as established by the city may be assessed for each re-inspection against and collected from the permittee or his agent. No portion of the permitted work shall continue without first paying the re-inspection fee. The frequency of inspections and re-inspections, based on potential health hazards involved shall be established by the superintendent as approved by the Tennessee Department of Environment and Conservation. The superintendent shall have the right to enter at any reasonable time any property served by a connection to the St. Joseph waterworks system for the purpose of inspecting the piping system therein for

cross-connections. The city may also employ an independent contractor to perform inspection and testing of back-flow prevention devices under this section and may pass the cost of such inspection and testing on to the customer as part of the customer's monthly water bill. Any such independent contractor shall have the same authority, as would a city employee to enter onto any property at reasonable times to perform such inspections.

18-306. Correction of violation. Any person who now has cross-connection, auxiliary intake, bypass, or interconnection in violation of the provisions of this chapter shall be allowed a reasonable time within which to correct the violation. After a thorough investigation of existing conditions and an appraisal of time required to complete the work, the amount of time shall be designated by the superintendent.

The failure to correct conditions threatening the safety of the public water system as prohibited by this chapter and the Tennessee Code Annotated, § 68-221-711, within a reasonable time and within the time limits set by the superintendent, shall be grounds for denial of water service. If proper protection has not been provided after a reasonable time, the superintendent shall give the customer legal notification that water service is to be discontinued, and physically separate the public water system from the customer's on-site piping system in such a manner that the two (2) 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 superintendent 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 system from the on-site piping system unless the imminent hazard is corrected immediately.

18-307. Required protective devices. Where the nature of use of the water supplied a premises by the water system is such that it is deemed:

- (1) Impractical to provide an effective air-gap separation;
- (2) The owner or occupant of the premises cannot, or is not willing to, demonstrate to the superintendent that the water use and protective features of the plumbing are such as to pose no threat to the safety or potability of the water;
- (3) The nature and mode of operation within a premises are such that frequent alterations are made to the plumbing; or
- (4) There is a likelihood that protective measures may be subverted, altered, or disconnected, then the superintendent 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 devices shall be a reduced pressure zone type

backflow preventer approved by the Tennessee Department of Environment and Conservation as to manufacture, model, and size. The method of installation of backflow protective devices shall be approved by the superintendent prior to installation and shall comply with the criteria set forth by the Tennessee Department of Environment and Conservation. The installation shall be at the expense of the owner or occupant of the premises.

Personnel of the St. Joseph waterworks system shall have the right to inspect and test the device on an annual basis or whenever deemed necessary by the superintendent. 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. Where it is found that only one (1) 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 or repair the device. The superintendent shall require the occupant or owner of the premises to make all repairs indicated promptly and to keep any device working properly. 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 director.

The failure to maintain a backflow prevention device in proper working order shall be grounds for discontinuing water service to a premises. The removal, bypassing, or altering of a protective device, or the installation thereof, so as to render the device 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 superintendent.

18-308. Nonpotable supplies. The potable water made available to premises served by the public water system shall be protected from possible contamination in accordance with provisions of this chapter. 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

Minimum acceptable sign shall have black letters at least one inch (1") high located on a red background.

18-309. Provisions applicable. The requirements contained herein shall apply to all premises served by the St. Joseph waterworks system whether located inside or outside the corporate limits and are hereby made a part of the conditions required to be met for the city 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 health wise, or otherwise undesirable, shall be enforced rigidly without regard to location of the premises, whether inside or outside the St. Joseph corporate limits.

18-310. Violations and penalty. Any person who neglects or refuses to comply with any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in accordance with § 1-401. In addition to the foregoing fines and penalties, the superintendent shall discontinue the public water supply service at any premises upon which there is found to be a cross-connection, auxiliary intake, bypass, or interconnection, and service shall not be restored until such cross-connection, auxiliary intake, bypass, or interconnection has been discontinued.