

**TITLE 18****WATER AND SEWERS<sup>1</sup>****CHAPTER**

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3. SEWAGE AND HUMAN EXCRETA DISPOSAL.
4. CROSS-CONNECTIONS, AUXILIARY INTAKES, ETC.

**CHAPTER 1****WATER****SECTION**

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<sup>1</sup>Municipal code references

Building, utility and residential 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 municipality and shall apply whether the service is based upon contract, agreement, signed application, or otherwise. (Ord. #757, Dec. 2007)

**18-102. Definitions.** (1) "Customer" means any person, firm, or corporation who receives water service from the municipality under either an express 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 municipality 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 municipality's water main to and including the meter and meter box. (Ord. #757, Dec. 2007)

**18-103. Obtaining service.** A formal application together with a non-refundable service fee of fifty dollars (\$50.00) shall be placed with the recorder before water service and/or meter installation orders will be issued. (Ord. #757, Dec. 2007)

**18-104. Application and contract for service.** Each prospective customer desiring water service will be required to sign a standard form contract before service is supplied. 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 municipality 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 municipality 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 municipality to the applicant for such service shall be limited to the return of any deposit made by such applicant. (Ord. #757, Dec. 2007)

**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. (Ord. #757, Dec. 2007)

**18-106. Connection charges.** The following are water service connection charges both inside and beyond the corporate limits of the city:

Three quarter inch (3/4") connection including not over thirty feet (30') of pipe or property line . . . . .	\$750.00
One inch (1") connection including not over thirty feet (30') of pipe or property line . . . . .	\$850.00
One and one half inches (1 1/2") connection including not over thirty feet (30') of pipe or property line . . . . .	\$1,400.00
Two inches (2") connection including not over thirty feet (30') of pipe or property line . . . . .	\$2,000.00

For all services requiring pipe in excess of two inches (2") in diameter, the connection charge shall be based on the actual cost of the installation.

When a service line is completed, the municipality 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 municipality. The remaining portion of the service line beyond the meter box shall belong to and be the responsibility of the customer. (Ord. #757, Dec. 2007)

**18-107. Main extensions.** The policy of the City of Waynesboro with reference to the extension of trunk mains for water services within and without the corporate limits of the City of Waynesboro is hereby declared to be as follows:

A trunk main is defined to be a water main of at least six inches (6") in diameter and extending along a public street and/or right of way, abutted by more than one (1) parcel of real property and owned by more than one (1) person, firm, or corporation.

If funds are available, the city's policy for extending a six inch (6") water main shall be to extend said water main along said public street or right of way for a distance of seventy-five feet (75') at the expense of the city, for the benefit of each consumer applying for water service extending beyond seventy-five feet (75') such extension will be made at the consumer's expense, and any person or persons making application for water service of seventy-five feet (75') extension or more shall first deposit with the recorder of the City of Waynesboro an amount of money, to be equally divided among them, equal to the estimated cost

of the extension beyond seventy-five feet (75'); provided that after completion of the extension, any excess deposit shall be refunded, or any balance due shall be paid by the consumer or consumers.

All extensions beyond seventy-five feet (75') per consumer shall be at the expense of the applicant except for mains larger than six inches (6") in diameter. When the city requires a main larger than six inches (6") in diameter to be installed for future extension for the improvement of the city's system, the city will pay the difference between the cost of the six inch (6") main and the cost of the main which is installed, and which has a diameter of more than six inches (6").

The size of the main to be installed shall be exclusively within the discretion of the city.

Annually, as of January 1st of each year, for the first five (5) years after the completion of such extensions, the city will ascertain the number of additional consumers who have been connected to such main during the previous twelve (12) months period and shall, within ninety (90) days thereafter, make reimbursement to the original applicant or applicants of an amount equal to the cost of seventy-five feet (75') of such extension for each additional consumer. No reimbursement shall be made for additional consumers connected to such main after such five (5) year period, and in no event shall the total amount of reimbursement exceed the amount paid as a contribution on the construction cost.

Temporary connections to said extensions will not be considered as consumers in connection with this section.

In the event the City of Waynesboro desires fire hydrants to be installed along an extended main, the cost of such installation shall be borne by the city.

The city may connect a main to, or extend a main from, any other main which has previously been installed in accordance with the above terms without obligation to the applicant of said previously installed main. Connections for such extensions will not be considered as being a consumer connection as applicable under the provisions of this section.

No application for the extension of water mains will be considered until all meter connection charges and deposits then in existence have been paid to the city by each consumer to be connected immediately on completion of construction.

Provided, however, that in cases where it will be necessary to cross under highways, or other unusual conditions exist, the seventy-five foot (75') extension by the city shall not apply and said crossing or tunneling under said highway shall be within the discretion of the city, and in any event, the consumer or consumers shall bear the cost of same. (Ord. #757, Dec. 2007)

**18-108. Main extensions to other areas.** Any applicant desiring to have water and/or sewerage service made available to a particular area or

subdivision and/or to be served by the water and sewerage system of the City of Waynesboro, shall:

(1) At his own expense prepare detailed plans and specifications of the distribution system in conformance with the regulations of the City of Waynesboro;

(2) Secure the approval of the plans and specifications from the planning commission or the mayor and city commission;

(3) Secure bids from competent and reliable contractors for the furnishing of materials, labor, and service therefor;

(4) At his own expense, construct the distribution system in accordance with the specifications in a good and workmanlike manner and furnish all materials, labor and service therefor;

(5) Furnish to the city, evidence that all bills and charges for labor and materials and other services used in the construction have been paid;

(6) Transfer and convey by written instrument, as required by the city, the distribution system, when completed to the city, free from all liens of every kind; and

(7) Make no tapping or connection charge to the city or any person taking service from the system.

If the entire cost of construction and installation of such system is approved by the city, and if it is conveyed and transferred to the city free from all liens and encumbrances and if the applicant keeps and performs his agreements and undertakings as set forth above,

(a) The city will permit the system to be connected onto the city's distribution system and will furnish water and/or sewerage service to each customer within the area or subdivision after the installation of a city-owned water meter for each service.

(b) The city will charge for water and/or sewerage service at the rates currently being charged other customers in similar locations.

(c) Annually, as of January first of each year, for the first five (5) years after the completion of such extension, the city will determine the gross amount of revenue collected from such extension during the previous twelve (12) month period and shall within ninety (90) days thereafter, make reimbursements to the installer of an amount equal to fifty percent (50%) of such gross revenue. No reimbursement shall be made after such five (5) year period, and in no event shall the total amount of reimbursement exceed fifty percent (50%) of the installer's gross investment for such extensions. Temporary connections to said extensions will not be considered as consumers in connection with this sections. (Ord. #757, Dec. 2007)

**18-109. Variances from and effect of preceding rules as to extensions.** Whenever the governing body is of the opinion that it is to the best interest of the water system to construct a water main extension without

requiring strict compliance with §§ 18-107 and 18-108, such extension may be constructed upon such terms and conditions as shall be approved by a majority of the members of the governing body.

The authority to make water main extensions under §§ 18-107 and 18-108 is permissive only and nothing contained therein shall be construed as requiring the municipality to make water main extensions or to furnish service to any person or persons. (Ord. #757, Dec. 2007)

**18-110. Meters.** All meters shall be installed, tested, repaired, and removed only by the municipality.

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 municipality. 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. (Ord. #757, Dec. 2007)

**18-111. Meter tests.** The municipality 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 municipality 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"	\$25.00
1-1/2", 2"	\$25.00
3"	\$50.00
4"	\$75.00
6" and over	\$100.00

If such test show a meter not to be accurate within such limits, the cost of such meter test shall be borne by the municipality. (Ord. #757, Dec. 2007)

**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 municipality.

Where the municipality 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 and 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 municipality'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. (Ord. #757, Dec. 2007)

**18-113. Billing.** Bills for residential service will be rendered monthly, shall be itemized and contain both water and sewer charges.

Bills for commercial and industrial service may be rendered weekly, semimonthly, or monthly, at the option of the municipality, and contain itemized water and sewer charges.

Water bills must be paid on or before the discount date shown thereon to obtain the net rate, otherwise the gross rate of ten percent (10%) 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 delivered to 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 delivery of such notice shall result in an additional charge of twenty dollars (\$20.00) to the customer. The municipality 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 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 municipality reserves the right to render an estimated bill based on the best information available. (Ord. #757, Dec. 2007, as amended by Ord. #\_\_, April 2013)

**18-114. Discontinuance or refusal of service.** The city manager 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; or
- (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 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. (Ord. #757, Dec. 2007)

**18-115. Re-connection charge.** Whenever service has been discontinued as provided for above, a re-connection charge of twenty dollars (\$20.00) shall be collected by the municipality before service is restored. (Ord. #757, Dec. 2007, as amended by Ord. #\_\_\_, April 2013)

**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 municipality 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 the ten (10) day period; and

- (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 municipality 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. (Ord. #757, Dec. 2007)

**18-117. Access to customers' premises.** The city manager or an employee designated by him 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 municipality, and for inspecting customers' plumbing and premises generally in order to secure compliance with these rules and regulations. (Ord. #757, Dec. 2007)

**18-118. Inspections.** The city manager 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 municipality reserves the right to refuse service or to discontinue service to any premises not meeting standards fixed by municipal ordinances regulating building and plumbing, or not in accordance with any special contract, these rules and regulations, or other requirements of the municipality.

Any failure to inspect or reject a customer's installation or plumbing system shall not render the municipality liable or responsible for any loss or damage which might have been avoided, had such inspection or rejection been made. (Ord. #757, Dec. 2007)

**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 municipality shall be and remain the property of the municipality. 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 care for it properly care for same, the cost of necessary repairs or replacements shall be paid by the customer. (Ord. #757, Dec. 2007)

**18-120. Customer's responsibility for violations.** Where the municipality 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. (Ord. #757, Dec. 2007)

**18-121. Supply and resale of water.** All water shall be supplied within the municipality exclusively by the municipality 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 municipality. (Ord. #757, Dec. 2007)

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

municipality. If any customer's service is restored by unauthorized means, a charge of one hundred dollars (\$100.00) shall be added to that account. If the meter is physically removed in order to prevent unauthorized restoration of services, a fee of two hundred fifty dollars (\$250.00) shall be collected from the customer before the re-installation of the water meter. Personal participation by the customer in any such restorations shall not be necessary to impose such personal responsibility on him. (Ord. #757, Dec. 2007)

**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 municipality.

All private fire hydrants shall be sealed by the municipality, 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 municipality a written notice of such occurrence. (Ord. #757, Dec. 2007)

**18-124. Damages to property due to water pressure.** The municipality 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 municipality's water mains. (Ord. #757, Dec. 2007)

**18-125. Liability for cutoff failures.** The municipality'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 water service, the municipality has failed to cut off such service;
- (2) The municipality has attempted to cut off a service but such service has not been completely cut off; or
- (3) The municipality 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 municipality's main.

Except to the extent stated above, the municipality 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 municipality's cutoff. Also, the customer (and not the municipality) shall be responsible for seeing that his plumbing is properly drained and is kept properly drained, after his water service has been cut off. (Ord. #757, Dec. 2007)

**18-126. Restricted use of water.** In times of emergencies or in times of water shortage, the municipality 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. (Ord. #757, Dec. 2007)

**18-127. Interruption of service.** The municipality will endeavor to furnish continuous water service, but does not guarantee to the customer any fixed pressure or continuous service. The municipality 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 municipality 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. (Ord. #757, Dec. 2007)

**18-128. Schedule of rates.** For each water service connection, the user shall be charged per month for water consumed according to the water meter as follows:

First	2,000 gallons (minimum)	\$24.08 per month
Next	3,000 gallons	\$ 5.05 per 1,000 gallons
Next	5,000 gallons	\$ 4.33 per 1,000 gallons
Next	10,000 gallons	\$ 3.30 per 1,000 gallons
Next	80,000 gallons	\$ 3.09 per 1,000 gallons
Next	100,000 gallons	\$ 2.58 per 1,000 gallons

Outside of city limits, the said rate shall increase by one hundred percent (100%) of set rate in each of the respective classifications. (Ord. #792, March 2014)

## CHAPTER 2

### SEWERS<sup>1</sup>

#### SECTION

- 18-201. Use of system regulated.
- 18-202. Obtaining service.
- 18-203. Permit and supervision required for connecting to system.
- 18-204. Connection fee.
- 18-205. Installation of lateral lines, etc.
- 18-206. Sewer service charges.
- 18-207. Extension policies.
- 18-208. Sewers in subdivisions, etc.

**18-201. Use of system regulated.** All persons using, desiring, or required to use, the public sanitary sewer system shall comply with the provisions of this chapter and with such written rules and regulations as may be prescribed by the city manager of the City of Waynesboro. (Ord. #757, Dec. 2007)

**18-202. Obtaining service.** A formal application together with a non-refundable service fee of fifty dollars (\$50.00) shall be placed with the recorder before sewer service orders will be issued. (Ord. #757, Dec. 2007)

**18-203. Permit and supervision required for connecting to system.** No premises shall be connected to the public sanitary sewer system without a permit from the recorder. Also all connections to the system must be made under the direct supervision of the superintendent of the sewer system or someone designated by him. (Ord. #757, Dec. 2007)

**18-204. Connection fee.** No permit to connect to the public sanitary sewer system shall be granted unless the applicant first pays to the recorder a sewer connection fee in the amount of seven hundred fifty dollars (\$750.00), whether inside or outside the city. (Ord. #757, Dec. 2007)

**18-205. Installation of lateral lines, etc.** When connections to the public sanitary sewer system are required and/or permitted the municipality shall be responsible for installing all the necessary lateral lines and facilities from the sewer main to the property line unless there is a written contract

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<sup>1</sup>Municipal code references

Building, utility and residential codes: title 12.

Refuse disposal: title 17.

between the governing body of the municipality and the property owner to the contrary. All necessary installations within the property lines shall be made by the owner and must be inspected by the City of Waynesboro prior to being covered. An inspection fee of fifteen dollars (\$15.00) shall be collected by the utility prior to acceptance of installed line. (Ord. #757, Dec. 2007)

**18-206. Sewer service charges.** The rates to be charged users of the sanitary sewers are based upon two (2) classifications: residential and non-residential.

(1) Residential classification. Residential users are any users occupying any building solely as living quarters.

(2) Non-residential classification. Any type use other than residential. For each sewer service connection, the user shall be charged per month for sewer produced according to the water consumed as indicated by the water meter as follows:

**Residential Classification**

First	2,000 gallons (minimum)	\$18.49 per month
Next	3,000 gallons	\$ 4.16 per 1,000 gallons
Next	1,000 plus gallons	\$ 3.79 per 1,000 gallons

**Non-Residential Classification**

First	2,000 gallons (minimum)	\$22.80 per month
Next	3,000 gallons	\$ 5.49 per 1,000 gallons
Next	1,000 plus gallons	\$ 5.00 per 1,000 gallons

Outside of the city limits the said rate shall increase by one hundred percent (100%) of the set rate in each of the respective classifications. (Ord. #793, March 2014)

**18-207. Extension policies.** The extension of sewer trunk mains shall be governed by the same description and the same rules governing the extension of water mains as set forth in chapter 1 of this title with the following exceptions:

(1) The City of Waynesboro will assume responsibility for a maximum of fifty feet (50') of sewer main for each consumer to be connected immediately upon completion of construction, provided however, that in cases where it will be necessary to cross under highways, or other unusual conditions exist, the fifty foot (50') extension by the city shall not apply and said crossing or tunneling under said highway shall be within the discretion of the city, and in any event, the consumer or consumers shall bear the cost of same; and

(2) The minimum size for a sewer trunk main will be eight inches (8"); mains of a larger size to be installed at the discretion of the city. (Ord. #757, Dec. 2007)

**18-208. Sewers in subdivisions, etc.** Any applicant desiring to have sewerage service made available to a particular area or subdivision of the City of Waynesboro, shall:

- (1) Prepare a completely detailed plan and specifications for such sewerage system which conforms to the regulations prescribed by the city;
- (2) Obtain prior city approval of such plan;
- (3) Obtain bids from reliable contractors for the cost of constructing the extension system;
- (4) Furnish evidence to the city that all bills and obligations for labor, materials, professional services and other cost of construction and planning have been paid in full and that the extension system is free from all liens and encumbrances;
- (5) Make no charge against the city for tapping or connection to the city system; and
- (6) Convey to the City of Waynesboro by written instrument the said extension sewerage system from its owners.

Annually, as of January first of each year, for the first five (5) years after the completion of such extension, the city will determine the gross amount of revenue collected from such extension during the previous twelve (12) month period and shall within ninety (90) days thereafter, make reimbursements to the installer of an amount equal to fifty percent (50%) of such gross revenue. No reimbursement shall be made after such five (5) year period, and in no event shall the total amount of reimbursement exceed fifty percent (50%) of the installer's gross investment for such extensions. (Ord. #757, Dec. 2007)

## CHAPTER 3

### SEWAGE AND HUMAN EXCRETA DISPOSAL<sup>1</sup>

#### SECTION

- 18-301. Definitions.
- 18-302. Places required to have sanitary disposal methods.
- 18-303. When a connection to the public sewer is required.
- 18-304. When a septic tank shall be used.
- 18-305. Registration and records of septic tank cleaners, etc.
- 18-306. Use of pit privy or other method of disposal.
- 18-307. Approval and permit required for septic tanks, privies, etc.
- 18-308. Owner to provide disposal facilities.
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- 18-311. Discharge into watercourses restricted.
- 18-312. Pollution of ground water prohibited.
- 18-313. Enforcement of chapter.
- 18-314. Carnivals, circuses, etc.
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**18-301. 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 Environment and Conservation as provided for in chapter 0400-48-01 of the *Tennessee Compilation of Rules and Regulations*. A minimum liquid depth of four feet (4') should be provided with a minimum depth of air space above the 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) 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

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<sup>1</sup>Municipal code reference

Plumbing code: title 12, chapter 2.

surface of the ground or pollute the underground water supply, and such disposal shall be in accordance with recommendations 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 above) 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. (1995 Code, § 18-301)

**18-302. 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. (1995 Code, § 18-302)

**18-303. 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. (1995 Code, § 18-303)

**18-304. 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 and environment. (1995 Code, § 18-304)

**18-305. Registration and records of septic tank cleaners, etc.** 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. (1995 Code, § 18-305)

**18-306. Use of pit privy or other method of disposal.** Wherever a sanitary method of human excreta disposal is required under § 18-302 and water-carried sewage facilities are not used, a sanitary pit privy or other approved method of disposal shall be provided. (1995 Code, § 18-306)

**18-307. 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. (1995 Code, § 18-307)

**18-308. 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 § 18-302, or the agent of the owner to provide such facilities. (1995 Code, § 18-308)

**18-309. 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. (1995 Code, § 18-309)

**18-310. 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. (1995 Code, § 18-310)

**18-311. 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. (1995 Code, § 18-311)

**18-312. Pollution of ground water 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. (1995 Code, § 18-312)

**18-313. 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 thirty (30) 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. (1995 Code, § 18-313)

**18-314. 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 thirty (30) days provided for in the preceding section. (1995 Code, § 18-314)

**18-315. Violations and penalty.** Any person, persons, firm, association, or corporation or agent thereof, who shall fail, neglect, or refuse to comply with the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be punishable under the general penalty clause for this code. (1995 Code, § 18-315)

## CHAPTER 4

### CROSS-CONNECTIONS, AUXILIARY INTAKES, ETC.<sup>1</sup>

#### SECTION

- 18-401. Definitions.
- 18-402. Standards.
- 18-403. Construction, operation, and supervision.
- 18-404. Statement required.
- 18-405. Inspections required.
- 18-406. Right of entry for inspections.
- 18-407. Correction of existing violations.
- 18-408. Use of protective devices.
- 18-409. Unpotable water to be labeled.
- 18-410. Violations and penalty.

**18-401. 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) "By-pass." 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 connection whereby the public water supply is connected with any other water supply system, whether public or private, either inside or outside of any building or buildings, in such manner that a flow of water into the public water supply is possible either through the manipulation of valves or because of any other arrangement.

(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 supply.

(5) "Person." Any and all persons, natural or artificial, including any individual firm, or association, and any municipal or private corporation organized or existing under the laws of this or any other state or country.

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

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<sup>1</sup>Municipal code references

Plumbing code: title 12.

Water and sewer system administration: title 18.

Wastewater treatment: title 18.

public water supply by the Tennessee Department of Health. (1995 Code, § 18-401)

**18-402. Standards.** The Waynesboro Public Water Supply is to comply with *Tennessee Code Annotated*, §§ 68-221-701 to 68-221-720 as well as the Rules and Regulations for Public Water Supplies, legally adopted in accordance with this code, which pertain to cross-connections, auxiliary intakes, by-passes, and inter-connections, and establish an effective ongoing program to control these undesirable water uses. (1995 Code, § 18-402)

**18-403. 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 the operation of such cross-connection, auxiliary intake, by-pass or inter-connection is at all times under the direct supervision of the city manager of the City of Waynesboro. (1995 Code, § 18-403)

**18-404. 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 city manager a statement of the non-existence of unapproved or unauthorized auxiliary intakes, by-passes, or inter-connections. Such statement shall also contain an agreement that no cross-connection, auxiliary intake, by-pass, or inter-connection will be permitted upon the premises. (1995 Code, § 18-404)

**18-405. Inspections required.** It shall be the duty of the Waynesboro Public Water Supply 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 reinspection based on potential health hazards involved shall be established by the city manager of the Waynesboro Public Water Supply and as approved by the Tennessee Department of Health. (1995 Code, § 18-405)

**18-406. Right of entry for inspections.** The city manager or his authorized representative shall have the right to enter at any reasonable time, any property served by a connection to the Waynesboro Public Water Supply for the purpose of inspecting the piping system or systems therein for cross-connections, auxiliary intakes, by-passes, or inter-connections. 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. (1995 Code, § 18-406)

**18-407. Correction of existing violations.** Any person who now has cross-connections, auxiliary intakes, by-passes, or inter-connections 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 city manager of the Waynesboro Public Water Supply.

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 Waynesboro Public Water Supply 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 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, inter-connections, auxiliary intakes, or by-passes are found that constitutes an extreme hazard of immediate concern of contaminating the public water system, the manager of the utility 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. (1995 Code, § 18-407)

**18-408. 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:

- (1) Impractical to provide an effective air-gap separation;
- (2) That the owner and/or occupant of the premises cannot, or is not willing, to demonstrate to the official in charge of the 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 supply;
- (3) That 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.

The city manager of the Waynesboro Public Water Supply, 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 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 city manager of the Waynesboro Public Water Supply 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 Waynesboro Public Water Supply shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by the city manager 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 city manager 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 supply 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 city manager of the Waynesboro Public Water Supply.

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 the protective device(s) 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 Waynesboro Public Water Supply. (1995 Code, § 18-408)

**18-409. Unpotable water to be labeled.** 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 (1") high located on a red background. (1995 Code, § 18-409)

**18-410. Violations and penalty.** The requirements contained herein shall apply to all premises served by the city 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 city/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 corporate limits.

Any person who neglects or refuses to comply with any of the provisions of this chapter shall be subject to a penalty under the general penalty provision of this code. Each day a violation is allowed to occur shall be a separate offense. (1995 Code, § 18-410)