

**TITLE 18**

**WATER AND SEWERS<sup>1</sup>**

**CHAPTER**

1. WATER AND SEWERS.
2. SEWER USE ORDINANCE.
3. CROSS-CONNECTIONS, AUXILIARY INTAKES, ETC.

**CHAPTER 1**

**WATER AND SEWERS**

**SECTION**

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<sup>1</sup>Municipal code references

Building, utility and housing codes: title 12.

Refuse disposal: title 17.

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**18-101. Application and scope.** These rules and regulations are a part of all contracts for receiving water and/or sewer service from the Humboldt Water and Sewer Department and shall apply whether the service is based upon contract, agreement, signed application, or otherwise. (1980 Code, § 13-101)

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

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

(3) "Service line" shall consist of the pipe line extending from any water main of the water and sewer department 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 department's water main to and including the meter and meter box.

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

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

(6) "Premise" means any structure or group of structures operated as a single business or enterprise, provided, however, the term "premise" shall not include more than one (1) dwelling. (1980 Code, § 13-102)

**18-103. Obtaining service.** A formal application for either original or additional service must be made and be approved by the water and sewer department before connection or meter installation orders will be issued and work performed.

A minimum deposit of five dollars (\$5.00) for domestic customers and twenty-five dollars (\$25.00) for all other classes of customers will be required before service is commenced. However, at the discretion of the management, additional deposits may be required in an amount not to exceed the estimated two and one-half (2 1/2) months bill under applicable rates. Upon discontinuance of service, any meter deposit will be applied to any bill that remains unpaid at the end of a thirty (30) day period. (1980 Code, § 13-103)

**18-104. Application and contract for service.** Each prospective customer desiring water and/or sewer service will be required to sign a standard form of contract for one (1) year before service is supplied. If, for any reason, a customer, after signing a contract for water and/or sewer service, does not take the service by reason of not occupying the premises or otherwise, or if service is

discontinued before the expiration of twelve (12) months at the request of the customer, he shall reimburse the water and sewer department the sum of one dollar (\$1.00) for the expense incurred in setting and removing meter.

The receipt of a prospective customer s application for service, regardless of whether or not accompanied by a deposit, shall not obligate the water and sewer department to render the service applied for. If the service applied for cannot be supplied in accordance with these rules and regulations and general practice, the liability of the water and sewer department to the applicant for such service shall be limited to the return of any deposit made by such applicant. (1980 Code, § 13-104)

**18-105. Service charges for temporary service.** Customers requiring temporary service shall pay all costs for connection and disconnection incidental to the supplying and removing of service in addition to the regular charge for water used. (1980 Code, § 13-105)

**18-106. Connection charges.** (1) Water. Service lines will be laid by the water and sewer department, and the location of such lines will be determined by the department.

The water and sewer department will tap main, make connection, and run fifty (50) feet of service line to meter at the following rates:

	<u>Inside</u>	<u>Outside</u>
3/4" Connection and Meter	\$ 85.00	\$110.00
1" Connection and Meter	100.00	125.00
1 1/2" Connection and Meter	125.00	150.00
2" Connection and Meter	175.00	200.00

Where the service line from tap on water main to meter location is in excess of the allowable fifty (50) feet, the additional piping will be installed on a labor and material cost basis.

(2) Sewer. All applicants for sewer service shall pay a connection fee of thirty-five dollars (\$35.00) where taps are made on sewer mains that have been laid by the city at the expense of the city. (1980 Code, § 13-106)

**18-107. Meters.** All meters shall be installed, tested, repaired, and removed only by the water and sewer department.

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 department. 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. (1980 Code, § 13-107)

**18-108. Meter tests.** The water and sewer department 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 water and sewer department 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 water and sewer department. (1980 Code, § 13-108)

**18-109. Schedule of rates.** All water and sewer service furnished by the water and sewer department shall be measured or estimated in gallons to the nearest multiple of 1,000, and sewer service shall be furnished under such rate schedules as the city may from time to time adopt by appropriate ordinance or resolution. (1980 Code, § 13-109)

**18-110. Multiple services through a single meter.** No customer shall supply water and/or sewer service to more than one dwelling or premise from a single service line and meter without first obtaining the written permission of the water and sewer department.

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

The water and/or sewer 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. (1980 Code, § 13-110)

**18-111. Billing.** Bills for residential water and sewer service will be rendered monthly.

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

Water and/or sewer 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 the discount date, a written notice shall be mailed to the customer. The notice shall advise the customer that his service may be discontinued without further notice if the bill is not paid on or before five (5) days after the discount date. The water and sewer department 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 water and sewer department 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 water and sewer department reserves the right to render an estimated bill based on the best information available. (1980 Code, § 13-111)

**18-112. Discontinuance or refusal of service.** The water and sewer department shall have the right to discontinue service or to refuse to connect service for a violation of, or a failure to comply with, any of the following:

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

Such right to discontinue service shall apply to all service received through a single connection or service, even though more than one (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 water and sewer department 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. (1980 Code, § 13-112)

**18-113. Re-connection charge.** Whenever service has been discontinued as provided for above, a re-connection charge of one dollar (\$1.00) shall be collected by the water and sewer department before service is restored. (1980 Code, § 13-113)

**18-114. 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 water and sewer department 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 water and sewer department 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 water and sewer department should continue service after such ten (10) day period subsequent to the receipt of the customer's written notice to discontinue service, the customer shall not be responsible for charges for any service furnished after the expiration of such ten (10) day period.

(2) During such ten (10) day period, or thereafter, the occupant of premises to which service has been ordered discontinued by a customer other than such occupant, may be allowed by the water and sewer department 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. (1980 Code, § 13-114)

**18-115. Access to customers' premises.** The water and sewer department'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 department, and for inspecting customer's plumbing and

premises generally in order to secure compliance with these rules and regulations. (1980 Code, § 13-115)

**18-116. Inspections.** The water and sewer department shall have the right, but shall not be obligated, to inspect any installation or plumbing system before water and/or sewer service is furnished or at any later time. The department 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 city.

Any failure to inspect or reject a customer's installation or plumbing system shall not render the water and sewer department liable or responsible for any loss or damage which might have been avoided had such inspection or rejection been made. (1980 Code, § 13-116)

**18-117. 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 water and sewer department 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 properly to care for same, the cost of necessary repairs or replacements shall be paid by the customer. (1980 Code, § 13-117)

**18-118. Customer's responsibility for violations.** Where the water and sewer department furnishes water and/or sewer 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. (1980 Code, § 13-118)

**18-119. Supply and resale of water.** All water shall be supplied within the city exclusively by the water and sewer department 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 water and sewer department. (1980 Code, § 13-119)

**18-120. Unauthorized use of or interference with water supply.** No person shall turn on or turn off any of the water and sewer department's stop cocks, valves, hydrants, spigots, or fire plugs without permission or authority from the department. Any person guilty of violating this section shall be charged at the applicable rate for the estimated amount of water used in addition to any criminal liability to which he may be subject. (1980 Code, § 13-120)

**18-121. 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 water and sewer department.

All private fire hydrants shall be sealed by the department, 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 department a written notice of such occurrence. (1980 Code, § 13-121)

**18-122. Damages to property due to water pressure.** The water and sewer department 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 department's water mains. (1980 Code, § 13-122)

**18-123. Liability for cutoff failures.** The water and sewer department'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 department has failed to cut off such service.

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

(3) The department 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 department's main.

Except to the extent stated above, the department 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 department's cutoff. Also, the customer (and not the department) shall be responsible for seeing that his plumbing is properly drained and is kept properly drained, after his water service has been cut off. (1980 Code, § 13-123)

**18-124. Restricted use of water.** In times of emergencies or in times of water shortage, the water and sewer department 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. (1980 Code, § 13-124)

**18-125. Interruption of service.** The water and sewer department will endeavor to furnish continuous water and sewer service, but does not guarantee to the customer any fixed pressure or continuous service. The department 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 department 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. (1980 Code, § 13-125)

**18-126. Digging wells unlawful; exception.** It shall hereafter be unlawful for any person to dig wells upon any premises where there is a water main in front of, to the rear of, or on either side of said premises.

However, upon application of any property owner or tenant and upon resolution adopted by the board of public utility of the City of Humboldt, the digging of wells and the use of the water therefrom may be permitted should the utility board find that the digging and maintenance of such a well will not create any unsanitary condition which might be detrimental to the health, morals, comfort, safety, convenience, and welfare of the other inhabitants of the city. (1980 Code, § 13-126)

**CHAPTER 2**

**SEWER USE ORDINANCE<sup>1</sup>**

**SECTION**

18-201. Adopted.

18-202--18-220. [Deleted.]

**18-201. Adopted.** The updated Humboldt Utilities and Sewer Use Ordinance and Enforcement Response Plan is hereby adopted and incorporated by reference as a part of this code.<sup>2</sup> (1980 Code, § 8-301, as replaced by Ord. #2013-04, June 2013)

**18-202--18-220. [Deleted.]** (1980 Code, §§ 8-302--8-320, as deleted by Ord. #2013-04, June 2013)

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<sup>1</sup>Municipal code reference  
Plumbing code: title 12, chapter 2.

<sup>2</sup>Ord. #2013-04 is available for review in the city treasurer's office

## CHAPTER 3

### CROSS-CONNECTIONS, AUXILIARY INTAKES, ETC.

#### SECTION

- 18-301. Definitions.
- 18-302. System to comply with state regulations.
- 18-303. All cross-connections must be approved.
- 18-304. Statement of unapproved connections.
- 18-305. Inspections.
- 18-306. Right to enter upon premises.
- 18-307. Reasonable time to comply.
- 18-308. Protective device.
- 18-309. Potable water system protected.
- 18-310. Requirement to apply to all premises served.
- 18-311. Penalty.

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

(1) "Public water system." The waterworks system which furnishes water to the City of Humboldt for general use and which is recognized as a public water system by the Tennessee Department of Health and Environment.

(2) "Cross-connection." Any physical arrangement whereby a public water system 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. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices through which, or because of which, backflow could occur are considered to be cross-connections.

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

(4) "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.

(5) "Inter-connection." Any system of piping or other arrangement whereby the public water system 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.

(6) "Person." Any individual, corporation, company, association, partnership, state, municipality, utility district, water cooperative, or Federal Agency. (Ord. #86-03, June 1986)

**18-302. System to comply with state regulations.** The City of Humboldt Public Water System is to comply with Tennessee Code Annotated, §§ 68-221-701 through 68-221-720, 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, by-passes, and interconnections, and establish an effective on-going program to control these undesirable water uses. (Ord. #86-03, June 1986)

**18-303. All cross-connections must be approved.** It shall be unlawful for any person to cause a cross-connection to be made or allow one to exist for any purpose whatsoever unless the construction and operation of same have been approved by the Tennessee Department of Health and Environment, and the operation of such cross-connections, auxiliary intake, by-pass or interconnection is at all time under the direct supervision of the General Manager of the City of Humboldt Public Water System. (Ord. #86-03, June 1986)

**18-304. Statement of unapproved connections.** 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 General Manager of the City of Humboldt Public Water System, a statement of the non-existence of unapproved or unauthorized cross-connections, auxiliary intakes, by-passes, or interconnections. Such statement shall also contain an agreement that no cross-connection, auxiliary intake, by-pass, or inter-connection will be permitted upon the premises. (Ord. #86-03, June 1986)

**18-305. Inspections.** It shall be the duty of the General Manager of the City of Humboldt Public Water System 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 re-inspections based on potential health hazards involved, shall be established by the General Manager of the City of Humboldt Public Water System and as approved by the Tennessee Department of Health and Environment. (Ord. #86-03, June 1986)

**18-306. Right to enter upon premises.** That the General Manager of the Public Water System, or authorized representative, shall have the right to enter at any reasonable time, any property served by a connection to the City of Humboldt Public Water System 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. (Ord. #86-03, June 1986)

**18-307. Reasonable time to comply.** That any person who now has cross-connections, auxiliary intakes, bypasses, or inter-connections in violation of the provisions of this chapter shall be allowed a reasonable time within which to comply with provisions of this chapter. 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 General Manager of the City of Humboldt Public Water System.

The failure to correct conditions threatening the safety of the public water system as prohibited by this chapter and the Tennessee Code Annotated, § 68-221-711, within a reasonable time and within the time limits set by the City of Humboldt Public Water System, shall be grounds of 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 system from the customers 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 management of the water system 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(s) is corrected immediately. (Ord. #86-03, June 1986)

**18-308. Protective device.** (1) Where the nature of use of the water supplied a premises by the water system is such that it is deemed:

- (a) Impractical to provide an effective air-gap separation;
- (b) That the owner and/or occupant of the premises cannot, or is not willing, to demonstrate to the official in charge of the water system, or his designated representative that the water use and protective features of the plumbing are such as to propose no threat to the safety or potability of the water system;
- (c) That the nature and mode of operation within a premises are such that frequent alterations are made to the plumbing;
- (d) There is a likelihood that protective measures may be subverted, altered, or disconnected.

(2) The General Manager of the City of Humboldt Public Water System, or his designated representative, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained

therein. The protective devices shall be reduced pressure zone type backflow preventer approved by the Tennessee Department of Health and Environment as to manufacture, model, and size. The method of installation of backflow protective devices shall be approved by the General Manager of the City of Humboldt Public Water System prior to installation and shall comply with the criteria set forth by the Tennessee Department of Health and Environment. The installation shall be at the expense of the owner or occupant of the premises.

(3) Personnel of the City of Humboldt Public Water System shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by the General Manager of the City of Humboldt Public Water System, or his designated representative. Water service shall not be disrupted to test the device without the knowledge of the occupant of the premises.

(4) 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 General Manager of the City of Humboldt Public Water System shall notify, in writing, the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device. The water system shall require the occupant of the premises to make all repairs indicated promptly, to keep the unit(s) working properly, and the expense of such repairs shall be borne by the owner or occupant of the premises. Repairs shall be made by qualified personnel, acceptable to the General Manager of the City of Humboldt Public Water System.

(5) The failure to maintain backflow prevention device(s) in proper working order shall be grounds for discontinuing water service to a premises. Likewise the removal, bypassing, or altering the protective device(s) or the installation thereof so as to render the 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 City of Humboldt Public Water System. (Ord. #86-03, June 1986)

**18-309. Potable water system protected.** The potable water system made available to premises served by the public water system 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

Minimum acceptable sign shall have black letters at least one-inch high located on a red background. (Ord. #86-03, June 1986)

**18-310. Requirement to apply to all premises served.** The requirements contained herein shall apply to all premises served by the City of Humboldt Public Water System whether located inside or outside the Corporate Limits and are hereby made a part of the conditions required to be met for the City to provide water services to any premises. Such action, being essential for the protection of 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 City of Humboldt Corporate Limits. (Ord. #86-03, June 1986)

**18-311. Penalty.** Any person who neglects or refuses to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than ten dollars (\$10) nor more than one hundred dollars (\$100), and each day of continued violation after conviction shall constitute a separate offense. (Ord. #86-03, June 1986)