

TITLE 4

Municipal Utilities

State Law Reference: Acquisition and operation of utilities as public enterprises, G.S. 160A-311 et seq.

Chapter 1 Water System

CHAPTER 1

Water System

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Sec. 4-1-1 Service contracts to conform with pertinent provisions.

All pertinent provisions of this chapter shall govern the terms and conditions of the contracts under which the town furnishes water service to any person, or whereby the town makes any water connections or performs any work of any kind in connection with the furnishing of water service.

Sec. 4-1-2 Board or its agents shall supervise.

The water system shall be under the supervision of the board. The duty of enforcing full compliance with all rules and

regulations governing all connections with the mains shall be vested in the manager of the water system.

Cross Reference: Appointment of town officers, Sec. 1-2-5.

Sec. 4-1-3 Manager of the water system; duties.

The manager of the water system shall perform the following duties:

(1) He shall have general supervision over all the operations of the water system.

(2) He shall see that all rules and regulations of the town are enforced.

(3) He shall see that water rates and assessments are correctly made.

Sec. 4-1-4 Water connections required; separate connections.

All owners of improved property located within the corporate limits and upon or within a distance of 200 feet of any town water line shall connect their premises with the town water system. Nothing in this section shall prohibit the continued use of water from private wells for any purpose other than domestic use. There shall be no cross-connection of the town water system with any private well or any other source of water supply.

Sec. 4-1-5 Connections to be made by or under supervision of town.

The construction of laterals for water connections, and the necessary excavation therefor, shall be done by the town, or, if done by a licensed plumber, it shall be done under the supervision of the town.

Sec. 4-1-6 Applications for connections.

Every application for a water connection shall be made on a form provided by the town, shall be signed by the applicant, shall be accompanied by the proper fee for making the connections, and shall be filed with the manager of the water system.

Sec. 4-1-7 Connection charges.

Charges for connection to the town water system will be as established by the board.

Sec. 4-1-8 Right to enter premises.

Whenever it becomes necessary to enter any premises, store or dwelling, for the purpose of inspecting water pipes, fixtures or meters, town employees may do so during reasonable hours. Should the employee be refused admittance, the supply of water

shall be cut off until the examination is made and the required information is obtained, or until repairs and alterations are made.

Sec. 4-1-9 Water meters.

(a) Any water meters furnished by the town shall remain the property of the town.

(b) At the request of any consumer, the town will test the accuracy of a water meter alleged to be recording improperly. If the meter is found to be inaccurate, the consumer's water bill may be adjusted accordingly. If the meter is found to be accurate, the consumer will be charged a fee of five dollars (\$5.00).

Sec. 4-1-10 Connections outside of town.

No connection of any water line or system outside of the town shall be made to any part of the town water system without special permission from the board on such terms as the board shall prescribe.

Sec. 4-1-11 Unauthorized use of water.

Only authorized town employees may connect or reconnect water service. If water is found to be in use without being turned on by an authorized town employee, or if water is used for any other purpose than that paid for, the consumer of the water shall be guilty of a violation of this chapter.

Sec. 4-1-12 Leaks; responsibility of consumer.

If a break occurs, or a defect is found in any pipe or fixture, causing or permitting a leakage or waste of water, it shall be the duty of the owner of the premises or the consumer to have the break or defect repaired.

Sec. 4-1-13 Water for use of consumers only.

It shall be unlawful for any consumer to permit any person, except the members of his or her family or employees living on the premises as a part of the household, or visitors in the home to remove water from the premises for any purpose except in case of fire or other emergency. Any person unlawfully receiving or using water shall be guilty of a misdemeanor, and if it is shown that the unlawful use has been made with the knowledge and consent of the consumer, the consumer shall be deemed equally guilty.

Sec. 4-1-14 Water for building purposes.

Any person desiring water for building purposes shall make application to the town for a permit. He shall state the time

when the work will be completed, and shall pay in advance for the water at the regular rates. At the completion of the work, the estimate will be revised and any additional amount will be collected, or surplus refunded, as the case may be. This section shall apply where the consumption of water is not rated by a meter.

Sec. 4-1-15 Injury to property and fixtures.

It shall be unlawful for any person to injure, deface or destroy the building, machinery, fences, trees or other property of the town water system, or in any way to contaminate the town water supply.

Sec. 4-1-16 Tampering with meters.

It shall be unlawful for any person, after the water has been turned off for failure to pay the water bill, to turn the water on at the meter or to bypass the meter or in any manner to obtain water at no cost.

Sec. 4-1-17 Continuity of service.

The town will not be liable for any damages that may result to consumers from the shutting off of water service for any cause whatever, even in cases where no motive is given, and no deduction from bills will be made in consequence thereof.

Sec. 4-1-18 Water rates and charges.

The rates and charges for water service shall be as established by the board and shall be due and payable monthly. A copy of the current rates and charges shall be kept on file at all times in the office of the clerk.

Sec. 4-1-19 Water deposits.

Each consumer applying for water service to a residence owned and occupied by him shall make a cash deposit as established by the board.

Sec. 4-1-20 Meter reading; billing; collecting.

(a) Meters will be read and bills rendered monthly, but the town may vary dates or length of period covered, temporarily or permanently, if necessary or desirable.

(b) Bills for water will be figured in accordance with the rate schedule then in effect, and will be based on the amount consumed for the period covered by the meter readings, but the amount payable for each billing period shall not be less than the minimum charge prescribed in the schedule of rates.

November 12, 2003

To: Bath Water/Wastewater Customers

From: The Town of Bath

Re: payment of bills

At the November 10, 2003 Town Council meeting the council advised the staff that payments of bills must be in compliance with Sec 4-1-20(d) of The Town Code. Bills are due when rendered and are delinquent after thirty days. What this means to you, is that if you receive a bill that shows a previous balance, your service will be disconnected within ten days. No delinquent notices will be sent. When service is disconnected, the bill must be paid in full and a \$25.00 reconnect fee will be charged before your service will be resumed.

As of January 1, 2004 the town will strictly adhere to this policy. Per 4-1-20(f): failure to receive bills mailed shall not prevent the bills from becoming delinquent nor relieve the consumer from payment.

As an update, at the September 9, 2002 Town Council meeting it was decided that all rental properties would have a \$100 refundable deposit in addition to the \$25 new account set up fees.

We want to continue giving you the best service possible and ask for your cooperation in this matter. You can assist us by making certain that we have your current phone number to enable us to notify you if you are scheduled for cut off.

# Beaufort County Water Department

111 W. 2nd Street  
Washington, NC 27889

Phone 252-975-0720  
Fax 252-975-0488

October 15, 2003

6402620.00 98  
BATH, TOWN OF  
PO BOX 6A  
BATH NC 27808

Dear Beaufort County Water Customer:

In an effort to be fiscally responsible, it is necessary to emphasize our policy on service disconnection. That information is found on page 8 (E) of the **RULES AND REGULATIONS** and states:

*"Bills are due when rendered and become delinquent 10 days after the billing date. If the bill is not paid, service may be discontinued."*

and (F)

*"Failure to receive bills or notices shall not prevent such bills from becoming delinquent or relieve the consumer from payment."*

Beginning December 1, 2003, this policy will be strictly adhered to. What this means to all Beaufort County water customers is that if you receive a bill that shows a previous balance, your service will be disconnected. By that time, you will have exceeded the 10-day delinquency period.

When water is disconnected, the bill must be paid in full. A \$25.00 <sup>reconnect</sup> delinquency charge and a \$75.00 ~~redeposit will also be collected at that time.~~

We want to continue giving you the best service possible and ask for your continued cooperation in this matter. You can assist us by making certain that we have your current phone number. This will enable us to notify you if you are scheduled for cut off. Please indicate your correct phone number along with your account number below and mail to us if your number on file is not current.

Sincerely,



Curtis Jett  
Manager, Beaufort County Water Department

new # 25 water \$100  
(d)  
eliminate (e)

Waters pd/100, 50  
to be pd  
Blake  
Norman  
Manning

Babe — 10/22  
What if we put  
out something  
similar

## Code of Ordinances: Town of Bath

Revised: 11-10-03

### Section 4-1-20

c) Charges for service commence when the meter is installed and connection is made, whether used or not. A new account set up fee is \$25.00. Rental properties will be charged a \$100.00 refundable deposit. (09-09-02)

d) Bills for water/wastewater service are due when rendered and are delinquent after thirty days. In the event the bill for water service is not paid in 30 days after it was rendered, the service will be disconnected within ten days. Further, if the meter has been shut down for nonpayment, the bill must be paid in full, in addition to a \$25.00 reconnect fee, before service will be reconnected. (11-10-03)

e) No delinquent notices will be mailed to the consumer.

f) Failure to receive bills mailed shall not prevent the bills from becoming delinquent nor relieve the consumer from payment.

(c) Charges for service commence when the meter is installed and connection is made, whether used or not.

(d) Bills for water service are due when rendered and are delinquent after 30 days. In the event the bill for water service is not paid in 30 days after it was rendered, a penalty of five dollars (\$5.00) shall be added and shall be paid by the consumer. Further, if the meter has been removed for nonpayment, a reconnection fee, as established by the board, must be paid before service will be reconnected.

(e) Delinquent notices will be mailed to the consumer, and if not paid within 30 days after date of mailing, water service may be discontinued.

(f) Failure to receive bills mailed or notices shall not prevent the bills from becoming delinquent nor relieve the consumer from payment.

Sec. 4-1-21 Suspension of service.

(a) When water service is discontinued and all bills are paid, including penalties, the deposit will be refunded.

(b) Upon discontinuance of service for nonpayment of bills, the deposit will be applied toward settlement of the account. Any balance will be refunded to the consumer, but if the deposit is not sufficient to cover the amount due and payable, the town may proceed to collect the balance in any way provided by law for the collection of debts.

(c) Service discontinued for nonpayment of bills will be restored only after bills are paid in full, redeposit made, a late fee of five dollars (\$5.00) paid, and if the meter has been removed, a reconnection fee paid.

(d) The town reserves the right to discontinue water service without notice for any one (1) or more of the following additional reasons:

(1) To prevent fraud or abuse;

(2) Consumer's willful disregard of the town's rules and regulations;

(3) Emergency repairs;

(4) Insufficiency of supply due to circumstances beyond the town's control;

(5) Legal process;

(6) Direction of public authorities; or

(7) Strike, riot, fire, flood, accident or any unavoidable cause.

(e) The town may, in addition to prosecution by law, permanently refuse service to any consumer who tampers with a meter or other measuring device.