

Rules and Regulations

For

EASTOVER SANITARY DISTRICT

I. Classification of Service

All services are classified under one of two categories:

Residential – Includes all $\frac{3}{4}$ " and 1" residential meters.

Commercial – Includes all businesses regardless of meter size.

II. Rate Schedule and Tap-On Fees

a. Rate Schedule

All customers will be billed at the rate currently in effect and approved by the Board of Directors of the District.

b. Tap-On Fees

All customers will be charged the tap-on fee currently in effect at the time of application for water service.

III. Application for Service (amended 5/24/2016)

- a) Customers shall make application for service in person at the District office.
- b) Service will be supplied only to those who provide a valid government issued identification, proper documentation, pay all applicable fees and execute a Utility Service Agreement.
 - i. Acceptable forms of ID: Photo ID to include driver's license, passport or Military ID.
 - ii. Proof of property ownership, signed HUD statement, Recorded Deed, signed Offer to Purchase Agreement or an executed property rental/lease agreement.
 - iii. Social Security number and date of birth will be requested to verify identity and will be used to collect any debt owed to the District.
- c) Tap-on fees are non-refundable once taps have been installed and once installed taps will not be relocated without payment of additional tap fee.
- d) The District may reject any application for service when the applicant or anyone listed on the lease agreement or deed is delinquent in payment of bills incurred

for service previously supplied at any location. (All outstanding balances, including late fees and reconnect fees must be paid in full).

- e) The District may reject any application for service not available under a standard rate or which may affect the supply of service to other customers or for other good and sufficient reasons, in such case the tap-on fee will be refunded.
- f) The individual, partnership and/or corporation in whose name the application is made shall be responsible for all bills incurred in connection with the service furnished.
- g) A separate application is required for each meter installed.

IV. Initial or Minimum Charge

- a) The initial or minimum charge, as provided in the rate schedule, shall be made for each meter installed, regardless of location. Each meter requires a separate account, and each account shall cover a separate and individual meter.
- b) Water furnished for a given installation shall be used for that installation only. Each customer's service must be separately metered at a single delivery and metering point. Each commercial unit, and each share-room or stall used for businesses purposes shall have a separate meter.
- c) All commercial use, including share-rooms and stalls for business purposes, shall be metered separately from any residential use, and vice-versa, whether now in service or to be installed in the future.
- d) All customers within the District that has a habitable dwelling or commercial establishment within three hundred (300) feet of the public water line shall be billed a monthly Availability Fee/Debt Service fee as specified in the Fee Schedule whether customer is connected or not connected to the water.

V. District's Responsibility and Liability

- a) The District shall run a service line from its distribution line to the property line where the distribution line runs immediately adjacent and parallel to the property to be served, and for which a tap-on fee then in effect for each size meter will be charged. All services and meters shall remain on State right-of-way or County right-of-ways and easements.
- b) The District shall install its meter at the property line or, at the District's option, in a mutually agreed upon location.
- c) When two or more meters are to be installed on the same property for different customers they shall be closely grouped and each clearly designated to which customer it applies.

- d) The District does not assume responsibility of inspecting the customer's piping or apparatus. District responsibility for maintenance ends at the meter.
- e) The District reserves the right to refuse service unless the customer's lines and/or piping are installed in such a manner that prevents cross-connection or backflow.
- f) The District shall not be liable for damage of any kind whatsoever resulting from water or the use of water on the customer's premises, unless such damage results directly from negligence on the part of the District. The District shall not be responsible for negligence of third persons or forces beyond the control of the District resulting in any interruption of service, or from interruption of service to make repairs and/or other connections and the district shall not be responsible for any damage done by or resulting from any defect in the piping, fixtures or appliances on the customer's premises.
- g) Under normal conditions, the customer will be notified of any anticipated interruption of service.

VI. Consumer's Responsibility

- a) The customer shall comply with all applicable Rules, Policies and Ordinances established by the District, and State and Local Building/Plumbing Codes, NCDENR Rules/Requirements/Regulations.
- b) Piping on the customer's premises must be so arranged that the connections are conveniently located with respect to the District's lines or mains.
- c) If the customer's piping on the customer's premises is so arranged that the District is called upon to provide additional meters, each place of metering will be considered a separate and individual account.
- d) Where a meter is placed on premises of a customer by mutual agreement, a suitable place shall be provided and accessible at all times to the meter reader.
- e) The customer shall furnish and maintain a private cutoff valve on their side of the meter.
- f) The customers piping and apparatuses shall be installed and maintained at the customer's expense in a safe and efficient manner in accordance with the District's rules and regulations, and in full compliance with the sanitary regulations of the State Board of Health, NC Plumbing Code and in accordance with the Water District's Cross Connection Control Ordinance. IN NO INSTANCE SHALL A CROSS CONNECTION BE ALLOWED.

- g) The customer shall guarantee proper protection for the District's property placed on the customer's premises and shall permit access to it only by authorized representatives of the District.
- h) In the event that any loss or damage to the property of the District or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the customer, his/her agents or employees, the cost of the necessary repairs or replacements shall be paid by the customer to the District; and liability otherwise resulting shall be assumed by the customer.
- i) The amount of such loss or damage or the cost of repairs shall be added to the customer's bill; and if not paid, services may be discontinued by the District.
- j) There shall be installed on every water service to customers on the District a Pressure Reducing Valve (PRV) of appropriate size and capacity to protect the customer's property from possible excessive pressures. The PRV shall be installed by the customer at his own expense on the customer's side of the meter box. Maintenance, repair and/or replacement of the PRV shall be the customer's responsibility.
- k) Customers requesting a new service will be required to obtain a plumbing permit from the Cumberland County Planning and Inspection Department. An inspector from the Inspection Office will inspect the consumer's outside water piping at the time of meter installation to ensure that there is no connection to another water supply for service inside of the house. No connection will be permitted if such a condition exists.
- l) All services that are classified as a potential health risk, including but not limited to farms, factories, irrigation systems, etc., are required to have a Reduced Pressure Zone Backflow Preventer (RPZ) installed on the service line on the customer's side of the water meter.
- m) If the customer is required to have an RPZ it shall be inspected annually by a certified inspector. An inspection report is to be sent to the Water District by the certified inspector. The certified inspection report will be kept on file by the District. Failure to inspect as required or to correct any deficiencies noted upon inspection may be grounds for termination of service or civil penalties as outlined in the Cross-Connection Ordinance.

VII. Extensions to Mains and Services

a. Water Facilities for Undeveloped Subdivisions

1. The developer shall submit plans and specifications for review and approval by the District, its Engineer, and the appropriate department of the State of North Carolina. No construction shall begin until NCDENR has issued an "Authorization to Construct" for the project.
2. The developer will install the facilities in accordance with the approved plans and specifications.
3. Upon completion of the new facilities, and as a condition for the initiation of water service, the developer will deed the complete facility, to include all rights-of-way, easements, permits, franchises and authorization or other instruments needed for the operation and maintenance of the facility, to the District. The District will not reimburse the developer for the extension. No obligation or commitment is binding on the District until the Board of Directors has formally accepted said facility.

b. Other Extensions

Other extensions of water facilities within the District's service area will be handled as follows:

1. The plans and specifications for the extension will be submitted for review and approval by the District, its Engineer and the appropriate department of the State of North Carolina. No construction shall begin until NCDENR has issued an "Authorization to Construct" for the project.
2. The facilities will be installed in accordance with the approved plans and specifications. Once the construction is complete, "Final Approval" must be obtained from NCDENR before water service is initiated.
3. Prior to or upon completion of the new extension, and as a condition for the initiation of water service, all rights-of-way, easements, permits, franchises and authorizations or other instruments needed for the installation, operation and maintenance of the facility will be deeded to the District. The cost involved in the new extension will be paid by the person or persons requesting the extension. No obligation or commitment is binding on the District until the Board of Directors has formally accepted said extension.

VIII. Access to Premises

- a) Duly authorized agents of the District shall have access at all reasonable hours to the premises of the user for the purpose of installing or removing District property, inspecting piping, reading or testing meters, or for any other purpose in connection with the District's service and facilities. Refusal to allow these representatives to enter for these purposes will result in the District obtaining an Administrative Order.
- b) Each user shall grant or convey or shall cause to be granted or conveyed to the District a perpetual easement and right-of-way across any property owned or controlled by the user wherever said perpetual easement and right-of-way is necessary for the District water facilities and lines so as to be able to furnish service to the customer.

IX. Change of Occupancy

- a) Not less than three days notice must be given in a person or in writing at the District's Office to discontinue service for a change in occupancy.
- b) The outgoing party shall be responsible for all water consumed up to the time of departure, or the time specified for departure, whichever period is longer.

X. Meter Reading-Billing-Collecting

Meters will be read and bills rendered as follows:

- a) Meters will be read once per month and bills mailed once per month; but the District reserves the right to vary the dates or length of period covered, temporarily or permanently if necessary or desirable.
- b) Bills for water will be figured in accordance with the District's published rate schedule then in effect and will be based on the amount consumed for the period by the meter readings.
- c) Charge for water service commences when meter is installed and connection made, whether used or not.
- d) Readings from different meters will not be combined for billing, irrespective of the fact that said meters may be for the same or different premises, or for the same or different customer, or for the same or different services.
- e) Bills are due when rendered and become delinquent 20 days thereafter. If payment is not received in the District Office by the due date, a late fee as specified in the approved Fee Schedule will be charged to the customer's

account. If bill is not paid within 10 days after the due date, service will be disconnected by the District. Water shall not be restored until the account has been paid in full to include applicable late fees and reconnect charge.

(Amended 10-23-2012)

- f) Failure to receive bills or notices shall not prevent such bills from becoming delinquent or relieve the customer from payment.
- g) Any customer who has a check or draft returned from any financial institution because of insufficient funds or a closed account shall be charged a service fee as specified in Fee Schedule.

XI. Suspension of Service

- a) Upon discontinuance of service for non-payment of bills, the District may proceed to collect the balance in the usual way provided by law for the collection of debts.
- b) Services discontinued for non-payment of bills will be restored only after bills are paid in full, and a reconnect charge paid for each meter reconnected. Service will be re-connected within 24 hours of receipts of payment.
- c) The District reserves the right to discontinue service, without notice, for any of the following reasons:
 - 1. To prevent fraud and abuse.
 - 2. Customer's willful disregard of the District's rules and regulations.
 - 3. Emergency Repairs.
 - 4. Insufficient supply of water due to circumstances beyond the control of the District.
 - 5. Legal purposes.
 - 6. Direction of public authorities.
 - 7. Strikes, riots, fires, floods, accidents, or other unavoidable cause.
- d) The District may, in addition to prosecution by law, permanently, refuse service to any customer who tampers with a meter or other measuring device.
- e) In accordance with the provisions of NC General Statute 14.151, it is the policy of ESD to aggressively prevent, identify, deter and control all activities related to theft of service. As allowed by the Prima Facie evidence rules, any individual that receives the benefit of an unauthorized service, unlawfully alters, tampers, or bypasses any meter and or related equipment designed to register the quantity of service may be assessed up to \$500.00 per incident, other charges to include replacement of ESD's equipment/property, can be assessed to return the

damaged equipment/property to ESD's standards, and additionally may include Criminal/Civil actions as warranted.

XII. Complaints-Adjustments

- a) If the customer believes his bill to be in error, he shall present his claim, in person at the District's office before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The customer may pay such bill under protest and said payment shall not prejudice his claim.
- b) The District shall make special meter readings at the request of the customer for a "Special Meter Reading Fee" as approved by the District provided, however, that if such special reading discloses that the meter was over-read, no charge will be made.
- c) Meters will be tested at the written request of the customer upon payment to the District of the actual cost to the District of making the test provided, however that if the meter is found to over-register beyond 3 per centum of the correct volume, no charge will be made.
- d) If the seal of a meter is broken by anyone other than the District's representative or if the meter fails to register correctly or is stopped for any cause, the customer shall pay a tampering fee which is outlined in the fee schedule.

Billing Adjustments Related to Water Leaks (Amended 1/22/13) (Amended 5/28/13)

Customers with water leaks may be eligible for a billing adjustment if the following qualifications are met:

- a) The customer's current total usage must be double the previous three months average usage.
- b) Proper documentation that the leak has been repaired or corrected must accompany the adjustment request (receipt for parts, contractors, invoice, etc.)
- c) Upon meeting the qualifications for an adjustment, the bill may be adjusted to their normal usage (3 month average) and the customer will pay the overage at the current rate the District pays for bulk water purchased from the City of Dunn. The customer's average usage will be billed at the normal rate.
- d) Water/Sewer customers – only sewer charges where the water consumption is proven to not have entered the sanitary sewer system will be adjusted.
- e) Exclusions:
 - Adjustment will not be made for water loss associated with irrigation systems.
 - Adjustments will apply to no more than 2 consecutive billing cycles.
 - Homes under construction or renovation.

- f) The District Manager is authorized to make adjustments that meet the qualifications.
- g) Adjustments are limited to one occurrence in a twelve month period per location.

XIII. Abridgement or Modification of Rules

- a) No promise, agreement, or representation of any employee of the District shall be binding upon the District except as it shall have been agreed upon in writing, signed and accepted by the acknowledged authorized representative of the District.
- b) No modification of rates or any of the rules and regulations shall be made by any agent of the District.

XIV. Adoption of Rules

Until further order of the Board of Directors of the District, the rules and regulations as the same are hereinabove setout are hereby adopted as of the date hereof to become effective on and after June 1, 2012.

Adopted the 24th day of April, 2012.

Amended October 23, 2012
Amended January 22, 2013
Amended May 28, 2013
Amended May 25, 2016