

Chapter

**50. MUNICIPALLY OWNED UTILITIES**

**51. WATER**

**CHAPTER 50: MUNICIPALLY OWNED UTILITIES**

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**§ 50.01 BOARD TO REGULATE.**

The sewer and water system of the town shall be under the control of, and the duty of prescribing and enforcing a full compliance with all the rules and regulations governing all connections with the public sewer and water system shall be vested in the Board of Commissioners or its authorized agent.

(1973 Code, Ch. E, § 1)

**§ 50.02 PERMISSION FOR CONNECTION REQUIRED.**

No person, firm or corporation shall connect with the water system of the town until they have made application for permission to so connect to the Town Clerk and this application shall be made before any part of the drainage system of the house or other connection shall have been laid or constructed and said person, firm or corporation shall present a plan or drawing showing the location of the building and the entire proposed connection from the public sewerage line through the building to its terminus, showing the location of all the fixtures, traps, ventilating pipes and the like, and shall name the street and name of the person, firm or corporation.

(1973 Code, Ch. E, § 2)

**§ 50.03 SEPARATE CONNECTIONS REQUIRED.**

Each individual business or residential building or structure shall install a separate water and sewer connection.

(1973 Code, Ch. E, § 3)

**§ 50.04 SEWER REQUIRED.**

All owners of improved property which is or may be located upon or within a reasonable distance of the sewerage system of the town, where the sewerage system is in operation, shall connect with such sewerage system all water closets, bath tubs, lavatories, sinks, drains, shower tubs and other connections upon their respective properties or premises so the contents may be made to empty into such sewer or sewer system.

(A) No outdoor privies may be hereafter constructed on or near any sewer line and the Board of Commissioners may require and enforce immediate abandonment of any such privy.

(B) No person shall maintain or use a residence location within 300 yards of another residence that is not provided with sewerage where such sewerage is available, or with septic tanks approved by the State Board of Health, or with sanitary privy which complies in construction and maintenance with the requirements of the State Board of Health.

(C) (1) No person shall after having an outdoor privy condemned rebuild such outdoor privy but must connect to town sewerage system where such connection is available.

(2) If such connection is not available, such person must build a septic tank or outdoor privy according to the requirements of the State Board of Health.

(1973 Code, Ch. E, § 4)

**§ 50.05 USE OF TOWN WATER.**

(A) No consumer will be allowed to supply or sell water to other persons, families or corporations, nor shall any person take or carry away water from any hydrant, watering trough or public fountain.

(B) The fire hydrants are for the use of the Fire Department for fighting fires, and are not to be used by any unauthorized person for any purpose without permission of the Board of Commissioners.

(1973 Code, Ch. E, § 5)

**§ 50.06 WATER AND SEWER RATES.**

Water and sewer rates and water and sewer connection charges shall be determined from time to time by the Board of Commissioners and shall be kept on file in the office of the Town Clerk.

(1973 Code, Ch. E, § 6)

**§ 50.07 TAMPERING WITH OR OBSTRUCTION OF WATER AND SEWER LINES BY UNAUTHORIZED PERSONS PROHIBITED.**

No person shall touch, tamper or in any manner manipulate or turn the cut-offs of the water mains forming a part of the water system of the town, nor shall any person tamper with or harm in any manner whatsoever any water or sewer line, main or any appurtenance thereto. No person shall throw or deposit any material or substance in any water or sewer line that will in any manner obstruct such line. No person shall ascend the service ladder of the elevated water tank at any time or for any purpose unless permission from the Board of Commissioners has been granted.

(1973 Code, Ch. E, § 7) Penalty, see § 10.99

**§ 50.08 PRIVATE WATER SUPPLY REGULATED.**

It shall be unlawful for any person, firm or corporation to furnish, supply or provide for gain or profit, any water from a private well or pumps into any dwelling house, boarding house, inn, hotel, café or other commercial establishment, or any rooms of same, when said dwelling house or any room or rooms are rented, offered for rent to the public, or when said boarding house, inn, hotel, café or other commercial establishment is open to, or used by the public, unless and until an analysis of the water for said well or pump shall have first been submitted to an approved chemist or the State Board of Health and the results of said analysis presented to the Town Clerk.

(1973 Code, Ch. E, § 8) Penalty, see § 10.99

**§ 50.09 WATER AND SEWER SUPERINTENDENT.**

The Board of Commissioners may select some competent person to supervise under its general control the entire water and sewer system of the town. The Board may from time to time prescribe the duties and responsibilities of the Superintendent. The Superintendent shall, at all reasonable hours, have free access to all premises for the purpose of examining hydrants, fixtures or connections on which water pressure is maintained or the flow of sewerage is regulated.

(1973 Code, Ch. E, § 9)

**§ 50.10 WORK ON WATER AND SEWER SYSTEM.**

(A) All work on the water and sewer system and all connections or disconnections thereto shall be performed by the authorized employees of the town or their representatives, or plumbers approved by the town. All work shall be performed in accordance with the Plumbing Code of the town and such amendments thereto that the Board of Commissioners may from time to time adopt.

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

(C) 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 \$5.

(1973 Code, Ch. E, § 10)

**§ 50.11 ADJUSTMENT TO WATER AND SEWER BILLS FOR NON-NEGLIGENT LEAKS IN PRIVATE, PUBLIC OR COMMERCIAL WATER LINES.**

(A) An adjustment to the total amount of a water and sewer bill to any private, public or commercial facility may be made when a rupture occurs in a water line, connection or fitting, which is not due to the negligence of the owner, resident or operator of that particular private, public or commercial facility, and only one adjustment shall be made for each occurrence of rupture, and only for the month in which the rupture is discovered.

(B) Such adjustments shall be contingent upon the following regulations.

(1) A water line, connection or fitting which has burst or otherwise ruptures, causing an excessive amount of water to flow through the meter of a particular private, public or commercial facility shall be eligible for an adjustment to be computed in the following manner. The amount shall be computed at the regular water billing rates, the flat rate shall be subtracted from the total amount billed for water, the remainder shall be reduced to 35% of its total for water, and this sum shall be added to the flat rate for water, and this amount plus the regular charge for sewerage shall be the amount due for that particular month.

(2) The resident, owner or operator of the private, public or commercial facility must present to the Town Clerk a statement of the plumber repairing the rupture, or in case of the owner, resident or operator repairing the rupture personally, sufficient proof to show clearly that the rupture is not due to the negligence of the owner, resident or operator.

(3) An adjustment will not be made to any water bill to any private, public or commercial facility when a water line, connection or fitting has burst or otherwise ruptured due to the water line, connection or fitting having been allowed to freeze by the neglect of the owner, resident or operator.

(4) An adjustment will not be made to any water and sewer bill to any private, public or commercial facility for an excessive amount of water flowing through the meter of that particular facility due to the malfunctioning of a valve, or leaking faucets which is due to worn seals, or is otherwise deemed as negligence on the part of the owner, resident or operator.

(5) An adjustment will not be made to any water and sewer bill to any private, public or commercial facility for an excessive amount of water flowing through the meter of that particular facility due to a faucet having been left open or a valve having been left open, negligently or otherwise by the owner, resident or operator.

(6) The effective date for water and sewer bills adjusted under the conditions of this section shall be those water and sewer bills collected on or after August 1, 1975.

(1973 Code, Ch. E, § 11)

## **CHAPTER 51: WATER**

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Section

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### **§ 51.01 BOARD TO REGULATE.**

The water system of the town shall be under the control of, and the duty of prescribing and enforcing a full compliance with all the rules and regulations governing all connections with the public water system shall be vested in the Board of Commissioners or its authorized agent. (1973 Code, Ch. E, Art. I, § 1)

### **§ 51.02 PERMIT FOR CONNECTION REQUIRED.**

No person, firm or corporation shall connect with the water system of the town until they have made application for permission to so connect to the Town Clerk and this application shall be made before any connection shall have been made. (1973 Code, Ch. E, Art. I, § 2)

### **§ 51.03 SEPARATE CONNECTIONS REQUIRED.**

Each individual business or residential building structure or mobile home shall install a separate water and sewer connection. (1973 Code, Ch. E, Art. I, § 3)

### **§ 51.04 USE OF TOWN WATER.**

(A) No consumer will be allowed to supply or sell water, to other persons, families and corporations, nor shall any person take or carry away water from any hydrant, watering trough or public fountain.

(B) The fire hydrants are for the use of the Fire Department for fighting fires, and are not to be used by any unauthorized person for any purpose, without permission of the Board. (1973 Code, Ch. E, Art. I, § 4) Penalty, see § 10.99

**§ 51.05 WATER RATES.**

Water rates and water connection charges shall be determined from time to time by the Board, and shall be kept on file in the office of the Town Clerk. (1973 Code, Ch. E, Art. I, § 5)

**§ 51.06 TAMPERING WITH OR OBSTRUCTION OF WATER LINES PROHIBITED.**

No person shall touch, tamper or in any way manipulate or turn the cut-offs on the water mains forming part of the water system of the town, nor shall any person tamper with or harm in any manner whatsoever any water line, main, tank or any appurtenance thereto. No person shall throw or deposit any material or substance in any water line that will in any manner obstruct such line. No person shall ascend the service ladder of the elevated water storage tank at any time or for any purpose unless permission from the Board has been granted. (1973 Code, Ch. E, Art. I, § 6) Penalty, see § 10.99

**§ 51.07 PRIVATE WATER SUPPLY REGULATED.**

It shall be unlawful for any person, firm or corporation to furnish, supply or provide, for gain or profit, any water from a private well or pumps in to any dwelling house, boarding house, inn, hotel, café or other commercial establishment, or any rooms of same, when said dwelling house or any room or rooms therein are rented, offered for rent to the public, or when said boarding house, inn, hotel, café, or other commercial establishment is open to, or used by, the public, unless and until an analysis of the water from said well or pump shall have first been submitted to and approved by the Town Clerk of the town. (1973 Code, Ch. E, Art. I, § 7) Penalty, see § 10.99

**§ 51.08 WATER SUPERINTENDENT.**

(A) The Board of Commissioners may select some competent person to supervise under it general control the entire water system of the town.

(B) The Board may from time to time prescribe the duties and responsibilities of the Superintendent. The Superintendent shall, at all reasonable hours, have free access to all premises for the purpose of examining hydrants, fixtures or connections on which water pressure is maintained.

(1973 Code, Ch. E, Art. I, § 8)

**§ 51.09 WORK ON WATER SYSTEM.**

All work on the water system and all connections or disconnections thereto shall be performed by the authorized employees of the town or their representatives, or plumbers approved by the town. All work shall be performed in accordance with the Plumbing Code of the town and such amendments thereto that the Board of Commissioners may from time to time adopt.

(1973 Code, Ch. E, Art. I, § 9)

**§ 51.99 PENALTY.**

(A) Any person that fails to comply with any of the provisions of this chapter shall be subject to a civil penalty in the amount of \$50 for the first day of noncompliance, and \$100 for each day thereafter. This penalty may be recovered by the town in a civil action in the nature of debt if the person does not pay the same within 30 days after the initial date of noncompliance.

(B) The violation of any provision of this chapter shall constitute a misdemeanor and shall be punishable in accordance with § 10.99. Violations may also be subject to prosecution under and subject to the penalties prescribed by G.S § 14-151.

(C) Any customer violating any of the provisions of this chapter is liable to having the water of the premises in question turned off after notice, and the town shall incur no liability whatsoever for turning off the water under such circumstances.

(Ord. passed 3-2-2016)