

## **WATER RULES GENERAL PROVISIONS**

### **A. APPLICABILITY OF WATER RULES AND RATE SCHEDULES**

These Rules apply to the water service area for the Town of Oak Ridge. The Town Manager or his/her designee shall interpret the Water Rules and Rate Schedules. In the event of any dispute or disagreement regarding the interpretation, the appeal process outlined in Section B of these General Provisions shall be followed.

### **B. APPEAL PROCESS**

Any person desiring to appeal water fees, charges, and/or requirements, other than charges for monthly service and usage, shall submit a letter of appeal to the Town Manager. The appeal will be reviewed and considered by the Town Staff and Attorney. Decisions of the Town Manager or his/her designee shall be final.

Any person disputing a monthly service bill must follow Water Rule 17, Disputed Bill Appeal Process.

### **C. SPECIAL CONDITIONS OF SERVICE**

The Town Manager, or his/her designee, upon review and approval by the Town Board, may establish, levy, and enforce charges for furnishing water to any customer of a character not adequately provided for by these Water Rules and Rate Schedules, provided that such charges shall be reasonable and consistent with established rates and charges.

### **D. REQUIRED SYSTEM DEDICATION TO WATER SYSTEM**

1. Subject to Water Rule 10 and in accordance with Sec. 30-863 of the Development Ordinance, the owners of all new subdivision water systems serving 30 or more dwelling units within the Town's zoning jurisdiction shall be required to transfer ownership of those water systems to the Town of Oak Ridge upon completion of construction in accordance with applicable development standards and acceptance by the Town or its designated representative.
2. There shall be no mandatory connections of existing systems or dwelling units and no transfer of ownership of existing systems.

### **E. ENFORCEMENT**



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These Water Rules shall be enforced in accordance with the enforcement procedures set forth in Chapter 30, Sec. 2-3 of the Oak Ridge Code of Ordinances.

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## WATER RULE 1

### ADOPTION OF WATER RULES AND DEFINITIONS

The following Water Rules shall govern the water service provided by the Town of Oak Ridge Water System (“the Water System”).

- A. All Water Rules herein set forth are subject at all times to change. Reasonable effort will be made to issue revised copies whenever any changes are required. Copies of the Water Rules in effect will be kept up-to-date and on file in the Operation Official’s offices. Customers or others contemplating any expenditures or activities governed by these Water Rules should assure themselves that they have the latest correct information by visiting the Water Systems web page, telephoning, or otherwise contacting the Operation Official’s offices. Please refer below for current location of Water System Manager and Operation Official’s offices.
- B. The following words, terms, and phrases, when used in these Water Rules, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning

**ADEQUATE SUPPLY:** The calculated quantity of water required to satisfy maximum day and peak hour demands, including fire flow demands, for any facility or development requesting water service.

**AIR GAP SEPARATION:** An unobstructed vertical distance through the atmosphere between the lowest opening from any pipe or faucet supplying water from any source to a tank, plumbing fixture, or other device, and the flood level rim of the receptacle. An approved air gap separation shall be at least double the diameter of the supply pipe. In no case shall the air gap separation be less than one inch. A North Carolina Public Water Supply and Town of Oak Ridge Water System approved air gap separation is an effective method to prevent backflow and shall be considered as a backflow prevention assembly.

**APPLICANT:** A person, firm, association, government agency, corporation, or other person or entity who completes an application for water service from the Town.

**APPROVED BACKFLOW PREVENTION ASSEMBLY:** A backflow prevention assembly that has been investigated and approved by the Water System and has been approved to meet the design and performance standards of the American Society of Sanitary Engineers (ASSE), the American Water Works Assoc. (AWWA), or the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California.

**ATMOSPHERIC VACUUM BREAKER:** A device used to prevent back-



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siphonage which is designed so as not to be subject to static line pressure.

**AUTHORIZED CUSTOMER REPRESENTATIVE:** Any person identified as an authorized agent for a water account.

**AUXILLARY WATER SYSTEM:** Any non-Water System or supply, including but not limited to private water wells, on or available to any Premises, other than the Water System water supply.

**BACKFLOW:** Any reverse flow of water, gas, or any other liquid or gaseous substance or combination thereof into the Water System from any source due to an unprotected cross-connection.

**BACKFLOW PROGRAM ADMINSTRATOR:** Any person designated by the Water System and possessing a current certification issued by the North Carolina Water Operator's Certification Board as a Cross Connection Control Operator.

**BACKFLOW PROTECTION:** The installation of an approved backflow prevention assembly for the purpose of protection against the hazards of cross-connection.

**BACK PRESSURE:** Any elevation of pressure in the downstream piping system caused by pumps, elevation of piping, or steam and/or air pressure above the supply pressure at any point in the Water System, which could cause a reversal of the normal direction of flow.

**BACK SIPHONAGE:** A reversal of the normal direction of flow in any pipeline, due to a negative pressure (as known as a vacuum) being created in the supply line with the backflow source subject to atmospheric pressure.

**BATTERY:** A metering installation consisting of two or more water meters operated in parallel as substitute for a single, larger water meter.

**BUSINESS:** Any lawful commercial endeavor to engage in the manufacturing, purchase, sale, lease, or exchange of goods and/or the provision of services, including not-for-profit entities.

**CERTIFIED TESTER:** Any person who demonstrates to the Operation Official and the Water System his/her competency to test, repair, and overhaul backflow prevention assemblies. At a minimum, any such person must hold a certificate of completion from a certified training program in the testing and repair of backflow prevention assemblies and cross connection control.

**COMMERCIAL ZONES:** Areas designated by the Town Planning Department,



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including, but not exclusive of, Town zoning designations of HB, GB, SC, LB, NB, LO, GO-M, and commercial components of PD-M.

**CONSUMER\CUSTOMER:** Any person, firm, or corporation using or receiving water from the Water System.

**CONTAINMENT:** The prevention of backflow from a private water system by an approved, properly functioning backflow prevention assembly which is installed, operated, and maintained in accordance with the provisions of these Rules and applicable state and federal law and regulations.

**CONTAMINATION:** An impairment of the quality of water to a degree which creates an actual hazard to the public health through toxicity or the spread of disease.

**COUNCIL:** The Oak Ridge Town Council.

**CROSS-CONNECTION:** Any actual or potential connection or piping arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the Water System any used water from a non-State approved water system or any industrial fluids, gas, or any other substance which could be detrimental, harmful, or hazardous to customers of the Water System.

**CUSTOMER:** Any person, firm, association, governmental agency, corporation, or other entity who uses, is entitled to use, or benefits from the use of water from the Water System.

**DATE OF PRESENTATION:** The date upon which a Water System bill or notice is mailed to the customer.

**DEGREE OF HAZARD:** A condition derived from the evaluation within a water system. May be classified as "high hazard", "imminent hazard", or "moderate hazard".

**DIRECT CONNECTION:** A cross-connection consisting of water piping connected to a water system having a foreign substance (non-potable supply).

**DIRECTOR:** Operation Official's Director of Operation or his/her designee.

**DOMESTIC WATER SERVICE:** Potable water service commonly referred to as Residential, Commercial, or Industrial, excluding Fire Protection Service and Irrigation Service.

**DOUBLE CHECK VALVE ASSEMBLY (DCVA):** An assembly composed of two

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single, independently acting, approved check valves, including tightly closing shut-off valves located at each end of the device and suitable connections for testing the water tightness of each check valve.

**DOUBLE CHECK-DETECTOR VALVE ASSEMBLY (DCDA):** An assembly composed of an approved double check valve assembly with a bypass water meter and a meter-sized approved double check valve device. The meter shall register accurately for very low flow rates as well as for all flow rates.

**FIRE PROTECTION SERVICE:** Water service utilized solely for fire suppression.

**FRONTAGE:** Those actual distances measured in feet, along parcel/lot lines which abut all adjacent public right of ways or Water System easements.

**GENERAL SERVICE:** Water service for Premises devoted primarily to Business activities.

**GRAVITY PRESSURE ZONE:** Area that is served by reservoirs with a high water line of 630 feet.

**HAZARD-DEGREE:** The evaluation of a hazard within a private water system as moderate or severe.

**HAZARD-SEVERE:** An actual or potential threat of contamination to the Water System or to a Customer's potable water system that could cause serious illness or death.

**HAZARD-IMMINENT:** An actual threat of contamination to the Water System that could cause serious illness or death.

**HAZARD-MODERATE:** A threat of contamination to the Water System or to a customer's potable water system that presents foreseeable and significant potential for pollution, nuisance, aesthetically objectionable, or other undesirable impact on the Water System.

**HEALTH HAZARD:** The term "health hazard" shall mean an actual or potential threat of contamination of a physical, chemical, biological, pathogenic, or toxic nature to the Water System to such a degree or intensity that there would be a danger to the public health. Examples of waterborne health hazards include but are not limited to:

- a. Physical - radioisotopes/radionuclides;
- b. Chemical - lead, mercury and other heavy metals, organic compounds, and other toxins and hazardous substances;
- c. Biological - microorganisms and pathogens like cryptosporidium, typhoid,

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cholera, and E. Coli.

**INDIRECT CONNECTION:** A cross-connection consisting of piping used to fill an open receptacle with water.

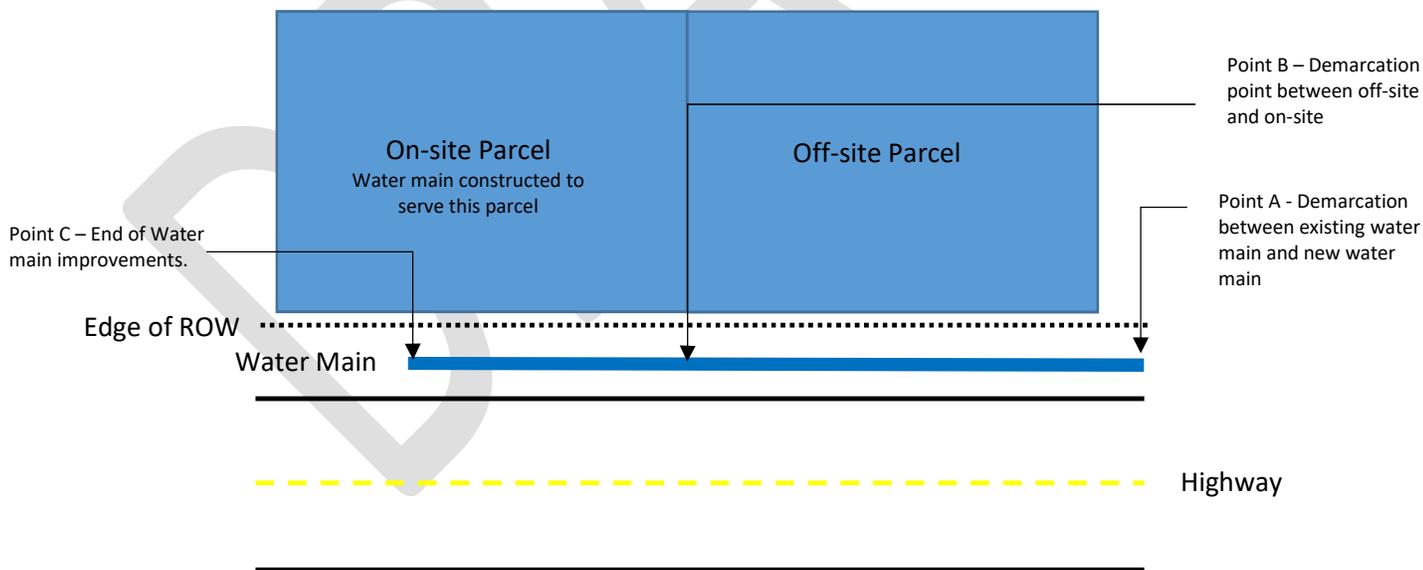
**INTERIM WATER SERVICE:** Temporary water service for commercial agricultural uses with a maximum two-year period.

**IRRIGATION WATER SERVICE:** Water service utilized solely for agriculture or landscape irrigation.

**MULTI-FAMILY DWELLING UNIT:** A building, or portion thereof, designed for occupancy by two or more families living independently of each other and containing two or more dwelling units.

**OFF-SITE:** Those water mains and appurtenances necessary to connect on-site subdivision or individual facilities to the existing distribution system where adequate capacity is available to meet the requirement of the new service. This is depicted as the water main between point A and B in Figure 1.

Figure 1.



**OPERATION OFFICIAL:** The Operation Official is the person(s), entity, or firm responsible for operation, maintenance, and management of the Water System, as well as implementation and enforcement of these rules. The Council has entered into a Public-Private Partnership with \_\_\_\_\_ and has authorized \_\_\_\_\_ to act as the Water System's agent for the

**operation, maintenance, and management of the Water System.**

**ON-SITE:** Those water mains and appurtenances within the boundary of tract maps, parcel maps, or developments to provide for the requirements of new water service. (Subdivisions, Shopping Centers, Industrial Parks, Lots, etc.). This is depicted as the water main between points B and C in Figure 1.

**PERSON:** Any individual, partnership, corporation, limited liability company, public agency, or other organization operating as a single entity.

**POLLUTION:** An impairment of the quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such water for any use

**POTABLE WATER:** Water from any source which has been approved for human consumption by the appropriate agency of the State of North Carolina and by the Water System.

**PREMISES:** All real property, buildings, and appurtenances upon a parcel of land.

**PRESSURE VACUUM BREAKER:** An assembly suitable for continuous pressure, to be used to provide protection against back-siphonage.

**PRIVATE WATER SYSTEM:** Any water system located on a Customer's premises, whether supplied by public potable water or an auxiliary water supply. The system or systems may be either a potable water system, well, or an industrial piping system.

**PUBLIC WATER SYSTEM:** The potable water system owned and operated by the Water System. This system includes all distribution mains, lines, pipes, connections, storage tanks, and other facilities conveying potable water to the service connections of each Customer.

**PROGRAM SPECIALIST:** The Water Utilities designated individual(s) possessing current certification issued by the North Carolina Water Operator's Certification Board as a Cross Connection Control Operator.

**REDUCED PRESSURE ZONE ASSEMBLY:** An NC Public Water Supply and Water System approved and properly functioning assembly containing two independently acting check valves with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and also below the first check valve. The assembly must include properly located test cocks and tightly closing shut-off valves at each end of the assembly. This assembly is designed to protect against a severe hazard.

**REDUCED PRESSURE ZONE DETECTOR VALVE ASSEMBLY (RPDA):** An assembly composed of an approved reduced pressure zone assembly with a bypass water meter and a meter-sized approved reduced pressure zone assembly. The meter shall register accurately for very low flow rates and shall register all flow rates.

**RESIDENTIAL DUAL CHECK (RDC):** A “residential dual check valve” is an assembly, without test cocks or ports, containing two independently operating spring loaded, poppet type check valves, in series, which can be easily removed and replaced. This assembly must be suitable for installation in a water meter subsurface vault or pit.

**RESIDENTIAL SERVICE:** Water Service supplying Potable Water to Single-Family Dwelling Units and Multi-Family Dwelling Units for domestic purposes.

**RESIDENTIAL ZONES:** Areas designated by the Town Planning Department, including, but not exclusive of, areas zoned: AG, RS-30, RS-40, RPD, PD-R, and TC-R

**SERVICE AREA:** All areas served by Water System water mains and service laterals.

**SERVICE CONNECTION:** The terminal end of a service connection from the public potable water system, i.e., where the Water System loses jurisdiction and sanitary control over the water at its point of delivery to the Consumer’s water system.

**SERVICE PROTECTION:** An approved backflow prevention assembly installed on the customer side of the service connection to protect the Water System public water supply.

**SINGLE-FAMILY DWELLING UNIT:** A dwelling designed for occupancy by one family and located on one lot as defined by the wn Oak Ridge Development Ordinance.

**SYSTEM DEVELOPMENT FEE:** A charge for facilities, established in accordance with State Statute 162-A, Article 8, System Development Fees.

**GENERAL STATUTE 130A ARTICLE 10 and 15A NCAC 18C:** Those sections of the North Carolina General Statutes and North Carolina Administrative Code addressing “Drinking Water Supplies” as revised, amended, or replaced.

**UNRESOLVED USAGE:** Water consumed prior to the time that the new occupant turns on the water service. The owner, not the occupant, is responsible for payment of any outstanding bills prior to that date.

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**USED WATER:** Any water supplied by a private or other public water system to a user after it has passed through the point of delivery.

Water System

**WATER SYSTEM:** The Town of Oak Ridge Water System.

**WATER SYSTEM MANAGER:** The Town Manager or individual serving in that capacity.

**WATER SERVICE CONNECTION (WATER SERVICE LATERAL):** The pipeline lateral extending from the Water System’s water main, to and including the water meter, together with the necessary valves, fittings, and water meter vault.

**TABLE 1**  
Points of Demarcation  
*Town Water Distribution System, Town, North Carolina*

Point of Demarcation (POD)	Applicable Scenario	Sketch
Point of Demarcation is the downstream side of the meter.	Residential Customer or Customer without fire service	
Point of demarcation is the downstream side of the meter on domestic service and at highway ROW on fire service.	Customer with domestic and fire service	
Point of demarcation is the downstream side of the meter.	Irrigation System	

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<p>Point of demarcation for maintenance is at highway right of way. Owner must grant right of entry for meter reading.</p>	<p>Private complex with individually metered units</p>	
<p>Point of demarcation for maintenance is at downstream side of meter.</p>	<p>Private complex metered at entrance to complex</p>	
<p>Point of demarcation is at downstream side of meter.</p>	<p>Water feature</p>	

**WATER SUPPLY-AUXILIARY:** Any water supply on or available to the customer’s premises other than the Water System’s approved public potable water supply. The auxiliary water may include water from another purveyor’s public potable water supply or any natural source including but not limited to a well, spring, river, pond, lake, or stream.

**WATER SUPPLY-UNAPPROVED:** Any water supply which has not been approved for human consumption by the appropriate agency of the State of North Carolina.



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## **WATER RULE 2**

### **CHARACTER OF WATER SERVICE**

The Town of Oak Ridge shall endeavor to provide a dependable supply of Potable Water from available sources, in quantities adequate to meet the reasonable anticipated and projected needs of its Customers.

Generally, the Water System will attempt to maintain operating pressures at the Water Service Connection of not less than forty (40) pounds per square inch. Pressures may be lower at times of maximum demand, or because of unusual elevations or other special conditions.

All Customers shall be deemed by applying for water service to have given consent to such conditions of pressure and service as may from time to time exist, and to have waived any claim on account of any damage caused by, or arising out of, low pressure or high pressure, fluctuations of pressure, or interruptions of service.

The character of service available at any Premises must be ascertained by inquiry at Town of Oak Ridge Town Hall. It shall be the Customer's responsibility to ascertain the pressure at the Customer's Premises, and to install and maintain any booster pumps, pressure regulators, and relief valves as required. As defined in the current applicable Uniform Plumbing Code, which is herein adopted by reference, when static water pressure inside a building is in excess of eighty (80) pounds per square inch, an approved type pressure regulator and pressure relief valve shall be installed and properly maintained by Customer so that the water pressure is reduced to eighty (80) pounds per square inch or less. Neither the Operation Official or Water System shall be responsible for pressure related issues.

### **WATER RULE 3**

#### **ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT**

##### **A. ESTABLISHMENT OF CREDIT – ALL CLASSES OF SERVICE**

Before receiving Water System service, each Applicant will be required to provide identification acceptable to the Operation Official and pay in full all prior delinquent Water System billings and or Town accounts in Applicant's name. The Water System may require verification of date of tenancy.

Each Applicant will be required to establish credit by satisfying the following condition:

By making a monetary guarantee such as cash deposit to secure the payment of bills for all Water System services as prescribed in Rule No. 4, DEPOSITS AND SERVICE TURN-ON CHARGE, or;

By providing Letter of Credit Reference and all requested identification information requested by the Town to secure the payment of bills for all Water System services as prescribed in Rule No. 4, DEPOSITS AND SERVICE TURN-ON CHARGE, or;

By making a monetary guarantee such as reduced cash deposit, and providing all requested identification information requested by the Town, to secure the payment of bills for all Water System services as prescribed in Rule No. 4, DEPOSITS AND SERVICE TURN-ON CHARGE

##### **B. INDIVIDUAL LIABILITY FOR JOINT SERVICE**

Where two or more Persons join in one application or contract for Water System services, they shall be jointly and severally liable thereunder and shall be billed by means of a single monthly bill mailed to the Person and address designated on the application to receive the bill.

Whether or not the Water System obtains a joint application for service, all adults who occupy the Premises and receive the benefit of service are responsible jointly and severally for the payment of the bills for Water System services used, unless the Water System, in writing, acknowledges that one or more of the adult occupants is not responsible. Those receiving benefit of service at the Premises may include the Applicant, and/or any number of other adults, such as in the case with multiple roommates. When the Applicant vacates the Premises, the remaining adults, who benefited from the Water System services, shall be held liable for the Water System billings incurred



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during the period they resided at the Premises. The Water System may deny or discontinue service for nonpayment of a delinquent bill when the Water System determines that the Applicant or one or more of the adults, or roommates, continue to occupy the Premises.

It is the policy of the Water System that only those persons designated as Authorized Customer Representatives are authorized to make changes to the account. Further, neither the Water System or its authorized agent will provide any information, including verifying whether an account exists, to anyone not verified as a Customer of Record.

In addition, the Water System may deny or discontinue service to a Customer at a new address, if a delinquent Water System billing remains unpaid from a prior service address, in which the Water System has determined that the Customer was a roommate.

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## **WATER RULE 4**

### **DEPOSITS AND SERVICE TURN-ON CHARGE**

#### **A. DEPOSITS**

Deposits will be required upon application for service in accordance with Rule No. 3.

#### **B. AMOUNT OF DEPOSIT TO ESTABLISH SERVICE**

A minimum deposit or letter of credit will be required to establish residential service.

By providing a cash deposit to secure the payment of bills for all Water System services of \$150.00, or;

by providing Letter of Credit Reference to secure the payment bills for all Water System services, or;

by providing a cash deposit of \$50.00 and providing all requested identification information requested by the Town, to secure the payment of bills for all Water System services.

The amount of deposit required to establish non-residential service will be equal to three times the estimated average monthly bill for water service, but in no event less than a minimum residential deposit. The amount of the deposit required for Water System furnished metering and backflow equipment shall be as defined in Rule No. 8. The estimated amount used for determining the amount of the deposit will not be refunded or reduced after service is established.

#### **C. AMOUNT OF DEPOSIT TO RE-ESTABLISH SERVICE**

If service is terminated for any reason other than Customer requested turn off, or if a notice of discontinuance has been given, the Water System may require the Customer to pay a deposit, or an additional deposit, up to an estimated average three-month bill. In no case shall the amount of deposit be less than the minimum deposit as set forth in APPENDIX A, WATER FEES AND CHARGES SCHEDULE.

#### **D. PAYMENT OF DEPOSIT**

1. Deposits are due upon application for service.
2. Deposits will not be used as payment for past-due bills to avoid

discontinuance of service.

**E. RETURN OF DEPOSIT**

1. Upon discontinuance of service, the Water System shall apply the Customer's deposit and accrued interest to the unpaid bills and refund any balances that exceed \$10 by mail. Any refunds with a balance of less than \$10 will be refunded to Customers upon written request within 90 days of the last date of service. All refunds shall be mailed to the address of record and shall be made payable to the Customer of Record. Such refunds shall be nonrefundable in the absence of a timely written request as provided.

**F. INTEREST ON DEPOSITS**

Interest will not be paid on any deposit amounts.

**G. SERVICE TURN-ON CHARGE**

1. A service turn-on charge (reference Rule 7) shall be made for turning on water service during normal working hours on the following workday. There will be an additional charge for the same day and after-hours turn-on of service, or special appointment turn-on service, when specifically requested by the Customer. A service charge will be assessed for each additional field visit required to complete the service turn-on order.
2. The Water System shall not be liable for any loss or damage caused by the improper installation, maintenance, or malfunction of any water apparatus or appliance, or for damage caused by the turning on and off of water service by the Water System. It is the Customer's responsibility to insure the turning on of water service will not cause damage or harm to Customer's Premises or other property.

## **WATER RULE 5**

### **RENDERING AND PAYMENT OF BILLS**

#### **A. GENERAL**

Water meters will be read as nearly as possible at regular intervals. Such regular meter readings normally shall be monthly but may be at other intervals at the discretion of the Water System. If for any reason water service is not metered, or if the meter is inaccessible or cannot be read, or if the meter fails to register correctly, the gallons of consumption shall be estimated by the Water System in their discretion as follows:

1. Previous consumption by metered service to the Premises;  
or
2. The average consumption for the corresponding billing periods during which the meter is known to have registered correctly; or
3. The consumption as registered by a substituted meter;  
or
4. By giving consideration to the nature of use, volume of business, seasonal demand, and any other factors that may assist in determining such consumption.

#### **B. PRORATION OF BILLS**

Rate schedules stated on a monthly basis are related to a 30-day consumption interval as a standard month. Whenever actual meter read intervals differ from a standard 30-day period, bills computed from monthly schedules will be subject to proration on a 30-day basis. In computing and rendering regular bills, minor variances between actual read intervals and any established regular read intervals need not be considered, subject to the following:

1. Where bills are regularly rendered monthly, computation from monthly rate schedules may be made directly whenever actual read intervals do not vary by more than four (4) days (greater or lesser) from the standard 30-day interval.
2. On opening accounts, the Water Utility may omit the initial billing when such billing period is less than seven (7) days on monthly accounts.

*Example: Customer set account up on June 10, eleven days into the 30 day billing cycle. Since the Customer's account was active for 2/3 of the billing cycle, the customer would pay 2/3 of the base bill plus any water*

*used during the cycle.*

*If the Customer had set up the account on June 25, the customer would not receive a bill for June. Rather, the July bill would indicate a full month plus 5/30 (or 1/6) of the base fee for June.*

**C. READINGS OF SEPARATE WATER METERS NOT COMBINED**

For the purpose of computing charges, each water meter upon the Customer's Premises shall be considered separately, and readings of two or more meters shall not be combined as equivalent to measurement through one meter.

**D. TIME AND MANNER OF PAYING BILLS**

Bills are due and payable upon presentation and become delinquent 15 days after the billing date. The billing date shall be the date of mailing. The Water Utility may discontinue water service and turn-off the water supply to Premises for which the account is delinquent in payment, and after giving appropriate written notice, in accordance with Water Rule 7.

**E. RETURN PAYMENT**

The Water System will assess a return item charge for any form of payment that is returned from or denied by a bank, credit union, credit card, or any other financial institution or service, for any reason. If the returned item is returned for payment on a prior 48-hour notice of disconnection, service may be terminated without further notice.

**F. PENALTY FOR NONPAYMENT OF BILL**

The Water System will assess a basic penalty for nonpayment of a bill of not more than ten (10) percent of each month's charges for the first month delinquent, and, for all subsequent months delinquent, an additional penalty of not exceeding one (1) percent per month for the nonpayment of any remaining charges and of the basic penalty.

## **WATER RULE 6**

### **METER INVESTIGATIONS AND ADJUSTMENTS OF BILLS**

#### **A. GENERAL**

1. Whenever the correctness of any bill for water service is questioned, an Operation Official shall investigate it. The Customer has five days after receiving a bill to question its correctness, unless such period is extended by the Operation Official for extenuating circumstances. After such period, the bill shall be payable as rendered or adjusted.
2. In cases where there are inaccuracies in the recording of water use, or bills reflecting clerical or meter errors, or in disputed cases where water consumption, dates, or other provisions are subject to exact determination, proper adjustments in the billing shall be authorized by Operation Official's Director of Operation or his/her authorized agent.
3. In cases where consumption, dates, or other factors required for application of rate schedules or other provisions are not subject to exact determination or are in question, or in disputed cases relating to service or rate application, Operation Official shall establish such factors by tests, analysis, and/or investigations to determine the proper basis for making an adjustment, if any. The Customer may appeal all adjustments as described in Water Rule 17.
4. In all cases of any adjustment to a bill under this section, the following limitations shall apply:
  - a. Overcharges shall not be recomputed and credited to any account for a period in excess of one (1) year prior to the discovery of an error, or the date the bill was questioned, whichever occurs earlier.
  - b. Undercharges shall not be recomputed and billed to accounts for a period in excess of one (1) year prior to the discovery of an error.

#### **B. METER INVESTIGATIONS**

##### **1. Meter Verification Read**

Whenever the accuracy of a water meter is questioned, the Customer may request that the meter be re-read. Upon such request, the Water System shall re-read the meter. The Customer, upon request, will be given a time period for the re-read and may witness the re-read or have a representative present. No

charge will be made for such re-reading except under the following conditions: If a Customer requests an additional special read within one year of receiving a free meter re-read, a service charge will be assessed. If the original meter reading is found to be in error, the service charge will be removed.

If the re-read is the result of an access problem, refer to Rule 20.

## 2. **Meter Test**

Whenever the accuracy of a water meter is questioned, the Customer may request that the meter be examined and tested by the Operation Official. Upon such request, the Operation Official shall examine and test the meter. The Customer may witness the tests or have a representative present. No charge will be made for this test except under the following conditions: If a Customer requests an additional test (or tests) within one year of receiving a free meter test, a deposit will be required prior to receiving a test.

If the meter is found to register over 2% more than actually passes through it under conditions of normal operation, another meter shall be substituted and the deposit refunded to the Customer. If no error factor is found, or if an error factor is found, but it is less than 2%, the deposit shall be retained.

## C. **ADJUSTMENT OF BILLS FOR METER ERROR**

### 1. **Mis-Read or Estimated Reads**

When a water meter is found to have been mis-read or estimated incorrectly, the Operation Official shall correct the reading and adjust the Customer's account. A corrected bill for the last billing period involved in the correction may be sent.

### 2. **Fast Meters**

When a water meter is found to be more than 2% fast, the Water System shall credit to the Customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding 6 months, unless it can be shown that the error was due to some specific cause, the date of which can be fixed. In such case, the overcharge shall be computed back to such time, but not exceeding one (1) year in accordance with Section A.4.a.

### 3. **Slow Meters**

When a meter is found to register more than 2% slow, the Water System may render a bill in accordance with section A.4.b. for water consumed but not charged by bills previously rendered.

**4. Non-Registering Meters**

If a previously properly registering meter fails to register during any period, the Customer shall be charged with an average consumption as shown by the meter when in use and registering correctly during a corresponding season. If no corresponding seasonal history is available, the Water System shall estimate consumption based on actual usage after the meter has been replaced, using seasonal variations. Additional adjustment may be made after the Customer provides acceptable verbal or written proof of meter failure to the satisfaction of the Operation Official's Director of Operation or his/her designee. Additional adjustments shall be computed in accordance with Section A.4.b.

**D. APPLICABLE RATE SCHEDULE**

**1. Applicable Rate Schedule**

Upon establishment of a water service account for a Premises, the Water System will assign a water rate schedule based on the characteristics of the service address. Operation Official will presume that any water rate previously assigned to that service address is the appropriate schedule, unless the Customer requests a review for another applicable rate schedule, rate, or optional provision. In certain situations when a Customer does not qualify for a water rate previously assigned to that service address, the Operation Official will assign the applicable rate to the Customer. The Operation Official and Water System assume no responsibility for advising the Customer of lower optional rates under existing schedules available as a result of the Customer's changes to the characteristics of the service address.

**2. Change of Rate Schedule**

A change to the applicable rate schedule may be made if the Operation Official or Water System determines that the Customer no longer qualifies for the assigned rate schedule. The change will become effective for service rendered after the next regular meter reading following verification and approval by the Operation Official of such eligibility. The Water System reserves the right to back charge the Customer for amounts determined by the Water System to have been used which otherwise would have been subject to a different rate schedule than was previously charged.

## **WATER RULE 7**

### **DISCONTINUANCE AND RESTORATION OF WATER SERVICE**

#### **A. CUSTOMER'S REQUEST FOR SERVICE DISCONTINUANCE**

Termination of water service by a Customer shall require giving the Water System not less than two working days' advance notice in writing on the Water System's notice form of the Customer's intention to terminate. Such notice must include the date on which the Customer requests the termination to become effective, and must contain Customer's consent for the Water System to access the water meter serving the Premises. If such access is not provided upon the Water System's initial field visit to turn off service, a field visit service charge will be assessed for each additional trip until turn off is completed.

If the water meter serves more than one Premises, and any of the Premises are occupied, the Applicant will notify the occupants of their rights by posting a 15-day notice in a conspicuous manner in the area of the Utilities meter, (except as otherwise stated in this Rule) and the Water System shall read the meter on the date requested. Any occupant has the right to prevent discontinuance by establishing a new account for the service to the master meter. Responsibility for service and the costs associated with establishing a new account will begin with that date and reading. In the event the Water System must post notice, there will be a charge for posting of the notice which will be the liability of the new account Applicant and payable together with any required deposit for the new account. The Customer will be held responsible for payment of all services furnished on the account until the proper request to terminate and final readings are completed or until such time as the Water System has established a new account for new service if it is determined the Customer failed to provide adequate notice to other occupants at the Premises.

In the event access to terminate service is not available, the Customer shall be held liable for all costs caused by Customer-attributable nonaccess until access is provided.

#### **B. DISCONTINUANCE FOR UNSAFE EQUIPMENT**

##### **Service Detrimental to Other Customers**

The Water System shall not provide nor continue to provide service to any Premises where the use or connections made may violate the Water System rules and requirements or be detrimental to the water service rendered by the Water System or to its Customers.

#### **C. DISCONTINUANCE FOR USE OF WATER WITHOUT APPLICATION**

## **Use of Water Without Application For Service**

When a property owner or occupant who has not applied for water service, takes possession of a Premises and finds the water service turned on, the property owner or occupant shall notify the Water System of such discovery within one (1) working day.

In the event the property owner or occupant turns on the water service, or fails to notify the Water System of finding the water service turned on within one (1) working day of occupancy, the occupant will be billed for consumption back to the date of the last read and the owner shall be billed for any unresolved usage. If the Premises are unoccupied, or the Water System has not been notified of a new tenant by the owner, property manager, occupant, or other representative of the owner, and water service is in use, the owner of the property shall be held responsible for payment of the bill. It is the responsibility of the owner to verify that the Water System service has been transferred into the name of the new occupant and to settle disputes of responsibility between the occupant and the owner.

In the event that the occupant is charged for usage where the amount charged will be determined by the Water System, the amount billed will be based upon either the meter reading or on the basis of the estimated consumption for the length of time service was received by the occupant without proper establishment of account.

When the Water System finds that water is being used outside the scope of a properly established water service account, the Water System may immediately terminate the service without further notice. Any amount due in excess of the amount billed to the occupant shall be billed to the owner.

Only authorized Water System personnel are permitted to turn the service on at the meter. If the occupant or property owner restores water service, a self-restoration fee will be imposed.

If any fees paid in connection with an Application and the establishment of credit and an account are for any reason revoked, dishonored, or not actually paid to the Water System, such application will be deemed insufficient and shall be rejected.

### **D. DISCONTINUANCE FOR NONPAYMENT OF BILLS**

#### **1. Past Due (Delinquent) Bills**

Bills will be considered past due (delinquent) if not paid within 15 days after the date of mailing.

#### **2. Discontinuance of Service Notice**

When a bill for water service has become past due and a discontinuance of service notice (Urgent Notice) has been issued, service shall be discontinued if the bill is not paid within the time required by such notice. A Customer's deposit to establish credit will not be used as payment to avoid discontinuance of service.

3. **Discontinuance of Residential Service Dangerous to the Health of the Customer**

The Water System will not terminate residential service for nonpayment upon certification by a physician or other appropriate health care provider currently licensed by the State of North Carolina that such termination will be life threatening and upon the Customer's execution of an agreement pursuant to Rule 7.D.4.

4. **Inability to Pay Residential Water System Bill**

Within 10 days of being mailed the bill, any Residential Customer may make a request for an extension of the Payment period of a bill asserted to be beyond their means to pay in full during the normal period for payment and shall be given an opportunity for review of the request by the Water System. The review shall include consideration of the amount of the bill in relation to the Customer's other bills as to whether the Customer shall be permitted to amortize the unpaid balance of the account over a reasonable time, not to exceed 6 months.

A Customer shall not have Water System services discontinued for nonpayment if they are complying with an amortization agreement, provided the Customer also keeps current their account for Water System services as charges accrue in each subsequent billing period.

Service may be terminated to any Customer who does not comply with an installment payment agreement or keep current the account for Water System services as charges accrue in each subsequent billing period.

The Operation Official shall make available to any such Customer, upon request, information known to the Operational Official regarding agencies and/or organizations that may provide financial assistance in the payment of Water System bills.

If a Residential Customer fails to comply with an amortization agreement, the Water System shall not terminate service without giving to the Customer the termination notice provided by these Rules, but such notice shall not entitle the Customer to further investigation of a disputed bill by the Water System.

5. **Discontinuance for Unpaid Water System Bill at a Previous Address**

A Customer's service may be discontinued for nonpayment of a bill for service previously rendered the Customer at any location served by the Water System provided such bill is not paid within 15 days after mailing a bill.

In no case will residential service be discontinued because of nonpayment of bills for non-residential accounts.

6. **Discontinuance of Service when Trying to Avoid Payment of Water System Bill**

The Water System may discontinue or deny service for nonpayment of a bill where the Water System determines that the same person or persons continue to occupy the service address. However, the Water System will not deny service to the renters of a Premises whose owner or prior unrelated tenants have delinquent unpaid bills.

7. **Discontinuance of Service Due to Fraud**

The Water System may refuse or discontinue service if the acts of the Customer or the conditions upon the Customer's Premises are such as to reasonably indicate an intent to defraud the Water System.

8. **Discontinuance of Service at More Than One Location**

If a Customer is receiving service at more than one location, service at any or all locations may be discontinued if bills for service at any such location are not paid within the time specified above, except that a residential service account shall not be discontinued for failure to pay bills for a non-residential account.

9. **Discontinuance of Service when Water System's Business Office is Closed**

Service will not be discontinued by reason of delinquency in payment for Water System services on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the Water System are not open to the public.

10. **Discontinuance of Residential Service at Individually Metered Detached Single-Family Dwelling, Multi-unit Residential Structure, Mobile Home Park, Migrant Labor Housing or similar residential premises**

This section applies to any Premises subject to a



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residential lessor-lessee (landlord-tenant) relationship.

Where Water System service is provided to individually metered residential occupants in a detached single-family dwelling, a multi-unit residential structure, mobile home park, permanent residential structure used as migrant labor housing, or similar residential situation and the owner, manager, or operator of the dwelling, structure, or park is listed by the Water System as the Customer of record, the Water System shall make every good faith effort, when the account is in arrears, to inform the residential occupants by means of written notice that service will be discontinued.

- (1) A 10-day notice of discontinuance shall inform the residential occupants of their right to become Customers, and to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
- (2) The Water System is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and satisfies all applicable requirements of law and the Water System's Rules and Schedules. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the Water System, or if there is a physical means, legally available to the Water System, of selectively terminating service to those residential occupants who have not met the requirements of the Water System's Rules and Schedules, the Water System shall make service available to the residential occupants who have met those requirements. In no event shall the property owner be relieved of responsibility for payment of delinquent account balances.
- (3) Any such residential occupant must establish credit to the satisfaction of the Water System.
- (4) There will be a trip charge for posting of the field notification.

11. **Discontinuance of Service at a Master Metered Multi-unit Residential Structure, Mobile Home Park, Migrant Labor Housing or Similar Residential Situations.**

It is the Water System's policy that Master Metering is not allowed for new services. However, it is recognized that there may be existing services where Master Meter installations have been permitted and installed. These installations are grandfathered but subject to the provisions of this



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Rule 11 and Rule 12.

For discontinuance of service to residential occupants in a multi-unit residential structure, mobile home park, migrant labor housing, or similar situations, who are master metered by the Water System, and the owner, manager, or operator of the structure or park is listed by the Water System as the Customer of record, the Water System shall make every good faith effort to inform the residential occupants, when the account is in arrears, to inform by means of written notice, that service will be discontinued.

- (1) A written 10-day notice of discontinuance shall be posted on the door of each residential unit prior to discontinuance; except that, if it is not reasonable or practicable to post the notice on the door of each residential unit, the Water System shall post two copies of the notice in each accessible common area and at each point of access to the structure or structures. The notice shall be written in English.

The notice will specify:

- (a) The date on which service will be discontinued.
  - (b) That the residential occupants have the right to become Customers to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
  - (c) What the residential occupants are required to do in order to prevent the termination of service or to reestablish service.
  - (d) The estimated monthly cost of service.
  - (e) The title, address, and telephone number of a representative of the Water System who can assist the residential occupants in continuing service.
  - (f) The address and telephone number of legal services which have been recommended by the local county bar association in connection with tenant Water System service issues.
- (2) The Water System is not required to make service available to such residential occupants unless each residential occupant or a legal representative of the residential occupants agrees to the



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terms and conditions of service and meets the requirements of law and the Water System's Rules and Schedules. However, if one or more of the residential occupants or the representative of the residential occupants are willing and able to assume responsibility for subsequent charges to the account to the satisfaction of the Water System, or if there is a physical means, legally available to the Water System, of selectively terminating service to those residential occupants who have not met the requirements of the Water System's Rules and Schedules or for whom the legal representative of the residential occupants is not responsible, the Water System shall make service available to those residential occupants who have met those requirements or on whose behalf those requirements have been met. As used herein, "legal representative of the residential occupants" does not include a tenants' association.

- (3) Where the Water System furnished service under a Residential Rate Schedule to a multi-unit residential structure, mobile home park, or labor camp, through a master meter, the Water System will not discontinue service in any of the following situations:
- (a) During the pendency of an investigation by the Water System of a Customer dispute or complaint.
  - (b) When the Customer has been granted an extension of the period for payment of a bill.
  - (c) For an indebtedness owed by the Customer to any other public agency or when the obligation represented by the delinquent account or other indebtedness was incurred with any public agency other than the Water System.
  - (d) When a delinquent account relates to another property owned, managed, or operated by the Customer.
  - (e) When a public health or building inspections officer certifies that disconnection would result in a significant threat to the health or safety of the residential occupants or the public.
  - (f) There will be a trip charge for posting of the field notification.

**E. RESTORATION OF SERVICE**

**1. Amount Due to Restore Service**

All past due bills at the time of reconnect and all applicable service charges shall be paid by the Customer prior to restoration of service. In addition, the Water System may require inspection of water facilities prior to reconnect at the Customer's expense. "After hours" for fee assessment purposes are hours outside the following windows: 8:30AM to 4:30PM Monday through Friday excluding legal holidays.

2. **Fund Verification Fee**

If it is necessary to verify funds prior to reconnect, an additional service charge may be assessed equal to any verification charges or merchant fee charges for credit cards. If funds cannot be verified, the Water System may require secured funds prior to reconnection.

3. **Re-establishment of Service Deposit**

If service is terminated, or if a notice of discontinuance has been given, the Water System will require the Customer to pay an additional deposit up to the average of the customer's last three months' bills.

4. **Reconnect Service Charge**

All charges are cumulative and each trip to the Premises will incur additional charges. In order to restore service discontinued under the provisions above, there shall be a charge for the expense of turning the service on.

5. **Self-Restoration Service Charge**

In the event anyone has turned on the water service after it has been turned off for any of the above reasons, there shall be a charge in addition to other amounts due from the Customer before service is restored.

6. **Water Meter Removal**

If the meter is removed, a service charge will be billed in addition to other amounts due.



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**WATER RULE 8**

**RESERVED**

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**WATER RULE 9**

**SHORTAGE OF WATER SUPPLY AND  
INTERRUPTION OF DELIVERY**

**A. INTERRUPTION OF DELIVERY**

The Water System shall exercise reasonable diligence and care to furnish and deliver a continuous and sufficient supply of water to all Customers and to avoid any shortage or interruption of service. The Water System shall not be liable for interruptions, shortage or insufficiency of supply, or any loss or damage occasioned thereby.

**B. TEMPORARY SUSPENSION OF WATER SERVICE**

The Water System reserves the right to temporarily suspend the delivery of water whenever it may be necessary for the purpose of making repairs or improvements to its system. The making of such repairs or improvements will be constructed as rapidly as is feasible and, whenever possible, at such times as shall cause the least inconvenience to Customers. In all cases of such interruptions of water service, the Water System shall make a reasonable attempt to give advance notice to Customers who may be affected.

**C. SHORTAGE OF WATER SUPPLY**

The most recently adopted version of the Town of Oak Ridge WATER CONSERVATION PLAN is hereby incorporated into these rules by reference.

Notwithstanding the provisions of the Water Conservation Plan, in the event of any actual or threatened shortage of water supply, and during the period of such shortage, the Water System shall apportion the available supply of water among its Customers in the most equitable manner possible to continue service fairly and without discrimination, except that preference shall be given to such service as is essential to the public interest and to the preservation of life and health.

If an actual or threatened water shortage occurs, the first service priority will be to eliminate any life-threatening situation. In such instance, the Water System will utilize its resources as a first responder to the life-threatening situation before addressing situations of lower priority. Service Restoration Priority will be assessed in accordance with the Utilities Priority procedures. A typical restoration priority order follows:

1. Hospital Facilities
2. Police and Fire Rescue Facilities
3. Town / County Emergency Operation and Administration Facilities
4. Other Medical Facilities



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5. Schools
6. Child Care Centers
7. Businesses
8. Residences
9. Clubs
10. Parks

**D.** In the event of an actual or threatened water shortage, Customers shall not be entitled to any pro-ration, reduction, or other adjustment to their monthly bill for any temporary restriction, limitation, reduction, or termination of service.

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## **WATER RULE 10**

### **WATER SYSTEM AND FEE REIMBURSEMENT REQUIREMENTS**

#### **A. GENERAL**

##### **1. Applicability of Rule**

- a. Water system installations shall be made in accordance with the provisions of this Rule.
- b. Installation for temporary services shall be made in accordance with Rule 8, "Temporary Water Service."
- c. Water service fees and charges will be determined in accordance with the provisions of this Rule 10 and Rule 11.

##### **2. Design and Construction of Water Facilities**

- a. All design and construction shall be in accordance with the Water System's standard plans and specifications.
- b. Water facilities within private developments shall only be accepted by the Water System if authorized by the Operation Official's Director of Operation. Developers may request that water facilities within their private developments be accepted for maintenance by the Water System, subject to the following:
  - (1) Easements (30 feet minimum width) including the right for access, maintenance, and repair shall be provided to the Water System for installed water mains, including access along all private streets with adequate additional easements provided for installed water system appurtenances (water meters, fire hydrants, etc.);
  - (2) Prior to construction or installation of any portions of Water Facilities intended for acceptance by the Water System, completed permit applications in the Water System's name and certified engineered plans shall be submitted for approval and comment to the Water System, including but not limited to Records to be Provided to the Water System. It is anticipated that upon completion of the project the developer will provide the Water System with the records identified in Table 2, including geo-reference water distribution system data.

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**TABLE 2**  
*Manuals, Drawings, and Records*  
*Water System, Town, North Carolina*

<b>Quantity</b>	<b>Item</b>	<b>Description</b>	<b>Remarks</b>
<i>1</i>	Drawings	CAD Drawings	Hard Copy
<i>1</i>	Electronic Drawings	CAD Drawings	Electronic Copy
<i>1</i>	Electronic Database	GIS Database	Electronic Copy
<i>1</i>	<i>Model</i>	Water Distribution Model Study	Electronic Copy
<i>1</i>		Manuals, drawings, records, and reports	Hard Copy

- (3) Compliance with any special requirements of the Water System.

**3. Ownership of Water Facilities**

Water distribution system installations, however provided, shall be transferred to and accepted by and become the property of the Water System.

**B. WATER SERVICE FEES AND CHARGES**

**1. Water Service Fees and Charges**

- a. Water service fees and charges may generally include:
- Water Service Fees (Base and Usage)
  - System Development Fee
  - Water Connection Cost
  - Metering Cost
  - New Account Fee
  - Contract Charges
  - Permit, Plan, and Inspection Charges
- b. The legal description, plot plan, and/or field check for a Premises to be provided water service shall be used to establish any applicable fees or charges
- c. When a property with an existing water service is subdivided, water service fees and charges for the Premises thereon which the existing Water Service Connection will continue to serve shall be considered paid, except that, at the Operation Official's Director of Operation's discretion, water fees and charges may be levied on such Premises if a water main replacement is required. Any other portion of such parcel coming in the Water System as



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new Premises shall pay all applicable charges.

- d. When a property use changes, and a new building permit and/or a new Water Service Connection is applied for, previously paid System Development Fee Charges, based on water meter size, shall be considered as a credit toward any higher System Development Fee Charges. There will be no refund of previously paid System Development Fee Charges. The connection charges are based on the property use and remain appurtenant to the property.
- e. When a property use changes, and a new building permit and/or new Water Service Connection is applied for, and a previously undersized water main has been replaced fronting the developer's/owner's property, the developer/owner shall pay the System Development Fee.
- f. If water use of a parcel is extended beyond the paid area of that parcel being serviced by an existing water meter, all water fees and charges covering the extended area shall be charged and collected by the Water System.
- g. If the boundaries of a parcel, which has a Water Service Connection, are adjusted so as to encompass an area which does not have a Water Service Connection, all water fees and charges applicable to the addition shall be collected by the Water System. Payment must be made prior to finalization of the lot line adjustment.
- h. All applicable water fees and charges shall be paid prior to the issuance of building permits, approval of final subdivision maps or parcel maps, or approval of any Water Service Connection requests.
- i. In Residential Zones, otherwise applicable parcel map recordation water fees and charges will not be collected when a parcel is to remain undeveloped and is capable of further subdivision into two (2) or more parcels. The applicable fees and charges for these undeveloped parcels shall be charged when water service is requested in accordance with Rule 10. B.1.h.
- j. If a Covenant and Agreement is requested from the Water System by the developer/owner to satisfy a water service requirement, and said request is approved by the Town, a processing fee of one thousand dollars (\$1,000.00) will be paid by the developer/owner to cover administrative costs in conjunction

with the preparation and approval of the Covenant and Agreement.

**2. System Development Fee**

- a. The System Development Fee shall to be calculated in accordance with N. C. Gen. Stat. § 162A-200, Article 8, "System Development Fee."

**3. Water Connection Fee**

- a. Applicable costs to provide connection to the water distribution system including the water meter:

5/8-inch meter	See Adopted Fee Schedule
3/4-inch	See Adopted Fee Schedule
1-inch	See Adopted Fee Schedule
2-inch and larger	Actual Cost of Installation

- b. See Rule 11 for applicable conditions associated with the installation of the tap, meter box, valve, and meter.

**4. Metering Installation Fee**

- a. Applicable costs to install and connect or reinstall a water meter:  
Any Meter See Adopted Fee Schedule

**5. New Account Fee**

Applicable costs to set up new Water System account for metering and billing:

New Account Fee	See Adopted Fee Schedule
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**6. Contract Charges**

- a. Applicable costs related to contract charges which are incurred on a per connection and/or a per increased capacity basis related to a wholesale water supply purchase, service, or other Water System contract: See Adopted Fee Schedule.

**7. Permit, Plan and Inspection Fees**

- a. Applicable costs to any permitting, planning or inspection fees related to the connection to the Water System and/or the provision

of water service: See Adopted Fee Schedule.

## **D. INSTALLATION OF ON-SITE WATER FACILITIES**

### **1. Applicability**

- a. The developer/owner shall have the responsibility for the installation of on-site water facilities within the boundaries of subdivisions, shopping centers, industrial parks, or lots as shown on the record map.
- b. Water fees and charges related to the installation of on-site water facilities shall be paid prior to commencement of work. Work shall commence within six (6) months of payment of all water fees and charges, or the water fees and charges which are in effect when work is commenced shall apply. (See Section B. of this Rule).
- c. Water facilities, which become the property of the Water System, shall generally be located within the public right-of-way. Water facilities will only be permitted within easements at the discretion of the Operation Official's Director of Operations.

### **2. Installation of On-Site Water Facilities by Developer/Owner**

#### **a. Developer's/Owner's Responsibilities**

The developer/owner shall have the responsibility for engineering, constructing, sanitizing, and testing the pipelines, appurtenances, service laterals, and installation of water meter vaults, in accordance with the Water System's standard plans and specifications. All such work shall be subject to Water System inspection and acceptance. The developer/owner shall pay to the Water System the established charges as set forth in Section C.2. of this Rule.

- (1) Complete engineering shall be by a civil engineer currently registered in the State of North Carolina and shall include submission to the Water System of a full set of detailed improvement plans together with payment of the plan review fee.
- (2) It shall be the developer's/owner's responsibility to submit Encroachment Agreements to NCDOT for all work within NCDOT right-of-way.
- (3) After all changes, modifications, and additions requested by



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the Water System have been made on the water plans, and the plans have been finally approved by the Water System, developer/owner shall supply a complete set of original plans to the Water System. Said original plans shall become the property of the Water System.

- (4) The developer/owner shall have the required installation performed by a North Carolina currently licensed public utilities contractor, and shall furnish a cash deposit or faithful performance bond in an amount equal to 125% of the Water System's estimated cost of installation. Cash deposit or bondable estimated installation costs shall be based upon the estimated construction cost of the water system and applicable fees and charges.
- (5) All laboratory analyses required in connection with chlorination and sanitizing the newly-installed systems shall be performed by a State of North Carolina laboratory currently licensed and certified to perform such tests. All charges in connection therewith shall be borne by the developer/owner, and the test results shall be forwarded directly to the Water System.
- (6) All Water System fees and charges must be paid prior to commencing construction of water facilities.

**b. Water System Provided Services**

The Water System shall provide services including plan review, inspection, setting of water meters, and water system connections to the existing water mains.

- (1) The submitted water plans will be examined for conformance with the Water System's standard specifications and other requirements. Errors and omissions, if any, will be indicated on the plans and they will be returned to the engineer of record for correction.
- (2) Water System personnel or their agent will inspect water facilities installed by the developer's/owner's contractor to assess adherence to plans and specifications.
- (3) Water System forces will schedule and set all water meters upon filing of the appropriate water service application form and payment of water fees by the **Applicant**.

c. **Reimbursement for Pipe Oversizing**

- (1) If at the Water System's request, the developer/owner is required to install a pipeline of a larger diameter than normally necessary for the development, the developer/owner shall be reimbursed for the incremental cost in accordance with Section D.2 c.(5) of this Rule.
- (2) Payments for pipe oversizing will be made as funds are collected for future development for a period of 15 years.
- (3) Under no circumstances will reimbursements be made for eight-inch (8") or smaller pipelines in single family Residential Zones or twelve-inch (12") or smaller in all other zones.
- (4) Sizing of water facilities will include consideration of Fire Flow requirements.
- (5) Water Main Oversizing Reimbursement:
  - 8-inch Standard – 12 inch Oversized - See Adopted Fee Schedule.
  - 12-inch Standard – 16-inch Oversized - See Adopted Fee Schedule.
  - Other – Subject to review and approval of the Water System Board.

d. **Acceptance and Release**

- (1) The security given for faithful performance of the work, whether cash or bond, may be released, in part, upon final completion and acceptance of the water facilities by the Water System; except that an amount equal to ten percent (10%) of the surety bond, but not less than \$1,000 will be withheld to cover the costs of possible maintenance, repair, and replacements. Final release shall be made one (1) year after acceptance of the water system.
- (2) If the developer/owner fails to complete all of the specified improvements in accordance with the approved water plans and specifications within the twelve (12) months after commencing said work, the Operation Official's Director of Operations may order such work performed by the Water System forces, and may utilize the cash deposit, if furnished, or call upon the surety company for funds to

cover reimbursement.

**E. INSTALLATION OF OFF-SITE WATER FACILITIES (WATER MAIN EXTENSIONS AND REPLACEMENTS)**

**1. General**

- a. Developers/owners shall be responsible for the off-site water main extensions and replacements necessary to reach and front their properties/developments from existing Water System facilities having adequate capacity.

Replacement of water mains shall be required when existing water mains are undersized/inadequate to supply domestic and/or fire flows to/for proposed developments.

- b. The Operation Official's Director of Operations reserves the right to have off-site water facilities installed by Water System forces at the expense of developer/owner-based upon actual cost of water main installation.

- c. The Operation Official's Director of Operations is authorized to execute water main reimbursement agreements on behalf of the Water System for water main installations paid for or constructed by developers/owners. The purpose of these agreements is to provide partial or full reimbursement to developers/owners who pay for or install off-site water facilities.

- d. Water main reimbursement agreements shall contain brief descriptions of the properties to be served with water, the length and location of water mains, and the total estimated costs in accordance with Section C.1.c. of this Rule. These agreements shall remain in effect for a maximum of fifteen (15) years, after which no further reimbursements will be made.

Water main reimbursement agreements shall be executed for a value over five hundred dollars (\$500.00). Reimbursements shall be computed in accordance with Section C.1.c. of this Rule. Reimbursement payments for water main extensions shall not exceed total estimated costs as provided in the Water Main Reimbursement Agreement.

**2. Water Main Extensions (Installation by Water System Forces)**

- a. If water main extensions are installed by Water System forces, developers/owners shall pay to the Water System the actual



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cost of water main extensions including appropriate construction, engineering, and administration charges.

- b. Engineering and installation shall not commence until the Water System has actually received payment for the estimated cost of work. Work shall commence within six (6) months after receipt of the total estimated cash payment. If commencement of work is delayed for more than six (6) months by circumstances outside of the control of the Water System, developers/owners may be required to pay additional estimated costs.
- c. Developers/owners will receive either a partial refund or an invoice to cover the actual costs of water main extensions after all final costs are known.

3. **Water Main Extensions (Installation by Developers/Owners)**

Developer's/owner's selection of North Carolina licensed contractors is subject to the Water System's approval prior to scheduling the construction of water main extensions. All fees and charges shall be paid prior to commencement of work. Requirements shall conform to those established in Section D.2. of this Rule.

4. **Water Main Relocations**

Developers/owners shall be responsible for relocating existing water main(s) which would not be located within paved roadways of streets or would have pipe cover of either less than three (3') feet or more than ten (10') feet as a result of a developer's/owner's improvements. Relocations shall be in accordance with Water System requirements and at developer's/owner's expense.

## WATER RULE 11

### WATER SERVICE CONNECTIONS, WATER METERS AND RELATED APPARATUS

#### A. GENERAL

1. Water Service Connections shall generally front the individual lots or parcels they serve and shall be constructed within the public right-of-way, or within Water System approved easements as determined by the Operation Official's Director of Operations. Reference Table 1.
  - a. More than one Water Service Connection per parcel/lot shall require the advance approval of the Water System and may require the installation of an Approved Backflow Prevention Assembly.
  - b. When the water meter and water meter vault cannot reasonably be located in the public right-of-way, they shall be located within an easement area provided to Water System on the Customer's Premises adjacent to the crossing of the service laterals with the property line, or such other location as may be agreed upon by the Customer and the Operation Official's Director of Operations.
  - c. No rent or other charge shall be levied against the Water System for Water Service Connections which must be located with the easement on the Customer's property.
  - d. New Water Service Connections and fire hydrant connections will **not** be allowed from transmission mains larger than twelve-inches (12") in diameter.
2. The Water System shall own and maintain all Water Service Connections up to and through the rear water meter union whether located on private property or in the public right-of-way.
3. The Customer at its own expense and risk, shall furnish, install and maintain all apparatus and appliances which are required to receive, control, regulate and utilize the pressure and flow of water as furnished by the Water System. The Water System shall not be liable for any loss or damage caused by the improper installation, maintenance or malfunction of such apparatus. The Water System shall not be responsible for damage or inconvenience occasioned by the misuse of water after it has left the water meter, nor for any damage caused by the turning on and off of water service by Water System forces.
4. The Water System shall not be liable for any damage to the

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Customer's plumbing caused by tree roots or any other natural causes.

5. As defined in the current applicable Uniform Plumbing Code, as adopted by the Water System herein, when static water pressure inside a building is in excess of eighty (80) pounds per square inch, an approved type pressure regulator and pressure relief valve shall be installed and properly maintained by Applicant so that the water pressure is reduced to eighty (80) pounds per square inch or less.
6. The Customer shall compensate the Water System for any and all damage to Water Service Connections under the Water System's ownership, which is caused by carelessness or negligence of the Customer.
7. It shall be the Customer's or property owner's responsibility to maintain free and clear access for the Water System's representatives to all water meters, water meter vaults, backflow prevention assemblies, fire hydrants and other water facilities supplying his Premises.
8. Inasmuch as ownership of all Water Service Connections as described in Section A.2, above, is vested in the Water System, only authorized representatives and employees of the Water System are permitted to connect or disconnect the service lateral to the water main, or to turn the service on or off at the water meter. Tampering with the service lateral or water meter in any way by unauthorized persons is a violation of State Law and these Rules and may result in a penalty and/or the discontinuance of water service.
9. Whenever the owner or his representative has ordered a Water Service Connection removed, abandoned, or disconnected at the water main, said owner shall sign a release waiving all rights and interest in the Water Service Connection. Re-establishment of service to the Premises shall be evaluated, and charged as a new Water Service Connection.

**B. WATER SERVICE CONNECTIONS FOR INDIVIDUAL PREMISES**

1. Upon payment of the applicable fees and charges and completion of the appropriate application forms, the Water System shall furnish, install and maintain the service lateral, water meter and water meter vault.
  - a. Applicant shall pay the System Development Fee (10.B.2.), Connection Fee (10.B.3.), Meter Installation Fee (10.B.4), New Account Fee (10.B.5.), any Contract Fee (10.B.6), and all Permit Plant and Inspection Fees (10.B.7.) of this Rule.
2. Applicants for individual Off-Site Water Service Connections four-inch (4")



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or larger have the option of having the Water System forces or a Water System approved, responsible, North Carolina licensed public utility contractor install the required connection(s).

- a. If Water System forces install said connections, the Applicant shall pay to the Water System the established charges as set forth in Rule No. 10, and Section G.1.b. of this Rule.
- b. If a private contractor is selected, said installation shall be in accordance with the Water System's standard plans and specifications and subject to Water System inspection and acceptance. The Applicant shall deposit with the Water System the established charges as set forth in Rule No. 10.C.2. (Facility Capacity Charge, Distribution System Fee, inspection fees and water meter charges).
- c. If a private contractor is selected, Applicant will be required to submit to the Water System the following:
  - (1) Any required State or local government permits;
  - (2) Copy of North Carolina Contractors license;
  - (3) Liability insurance; and,
  - (4) An executed Hold Harmless and Indemnity agreement approved by the Town Attorney.

**3. Bacteriological Testing for Water Meters Two-Inch (2") or Larger and Fire Protection Services**

Customer piping served by a water meter two-inch (2") or larger and Fire Protection Services will not be tested until a twenty-four (24) hour period between the final flushing and the taking of bacteriological samples is completed. Following this period, the Contractor shall have a North Carolina certified laboratory perform bacteriological tests. Samples shall be taken in the field and transported to the laboratory by licensed engineer or by a representative of an approved testing firm. A minimum of one (1) successful bacteriological test per 1,000 feet of water main will be required. All samples must be absent for total coliform and E. coli/fecal bacteria.

All laboratory testing shall be at the Customer's/Contractor's expense. One copy of the test results shall be mailed directly to the Water System from the laboratory.

A flushing testing charge will be collected in advance for each installation



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requiring bacteriological testing. The fee will be two hundred dollars (\$200.00), each and every time flushing testing is required. The flushing testing charge will allow a maximum flushing time of ninety (90) minutes.

Upon successful completion of bacteriological testing, the sanitary condition of Customer's piping will be accepted and the water meter and/or Fire Protection Service will be released for Customer service and use.

**C. WATER SERVICE CONNECTIONS IN SUBDIVISIONS (TRACT MAPS), PARCEL MAPS, RECORDS OF SURVEY, SHOPPING CENTERS, MOBILE HOME PARKS AND INDUSTRIAL DEVELOPMENTS**

1. Water Service Connections within the development shall be installed in conjunction with the other On-Site water facilities under the provisions of Rule No. 10. Water meter charges as specified in Rule No. 10, shall apply.
2. Work shall commence within six (6) months of payment of all water fees and charges or the fees and charges which are in effect when work is commenced shall apply. All fees and charges which are applicable shall be paid prior to commencement of installation.

**D. RELOCATION AND REPLACEMENT OF WATER SERVICES LATERALS**

1. Water relocation or moving of water service laterals shall be performed by Water System forces at the Customer's expense. The charges shall be estimated by the Water System. Maximum lateral relocation shall be five feet (5').
  - a. The charges to relocate Water Service Connections over one-inch (1") shall be at actual cost of relocation plus overhead.
  - b. If at the Customer's request the water service lateral must be extended or shortened, it will be done at Customer's expense.
2. Water service laterals which are or become defective without fault on the part of the Customer shall be replaced at Water System expense. When a defective water service lateral is scheduled for replacement, the Customer may obtain a larger size meter by paying the difference in the Water System's costs for labor and equipment, materials, overhead and applicable Facility Capacity Charges.
3. When a Customer requests a water meter size increase with no change to the water service lateral, the difference in water meter costs plus thirty-two dollars (\$32.00) will be charged in addition to any other applicable fees.

4. Charges for relocating fire hydrants and Fire Protection Services shall be levied when such relocation is for the convenience of the Customer or is necessitated by improvements initiated by Customer. These charges shall include costs for labor, equipment, materials, and overhead expenses. The charge for replacing a Fire Protection Service shall be the charge for a new service, but with and Distribution System Fee considered paid.

#### **E. REPAIR OF WATER FACILITIES**

The cost of repairing water facilities damaged by persons other than Water System personnel shall be at actual labor, material, equipment and field overhead costs plus fifteen percent (15%) for the cost of general Water System overhead and processing for each incident. This overhead charge may be waived at the Water System's discretion.

#### **F. FIRE PROTECTION SERVICE - USAGE**

1. Private fire protection system services shall be used only for the discharge of water to extinguish fires, and shall be equipped with a backflow device detector assembly and bypass meter. It shall be unlawful to install any taps, hose bibs or other outlets for the use of water for any other purpose. The taking of water from a private fire system for any unauthorized use shall constitute cause for the discontinuance of the water supply at that service, or the installation at the Customer's expense of a fully-metered Water Service Connection with enforcement of the applicable water rates to such water meter, in addition to any applicable criminal charges.
2. **Backflow Prevention** - The Fire Protection Service to a Premise shall be subject to the same backflow prevention regulations and requirements as the Domestic Water Service to that property.

#### **G. SCHEDULE OF WATER SERVICE CONNECTION CHARGES**

1. **Residential Water Service Connection Fee**
  - a. Residential Water Service Connection Fee shall be levied for all new customers not previously served by any other water utility or provider.
  - b. The charges to be collected by the Water System for new Residential Water Service Connections installed by Water System forces, are as set forth below including the water meter and water meter vaults, and are in addition to the charges and conditions noted in Rule No. 10. Backflow prevention assemblies, where required, are the responsibility of the Customer,



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and are not installed by the Water System.

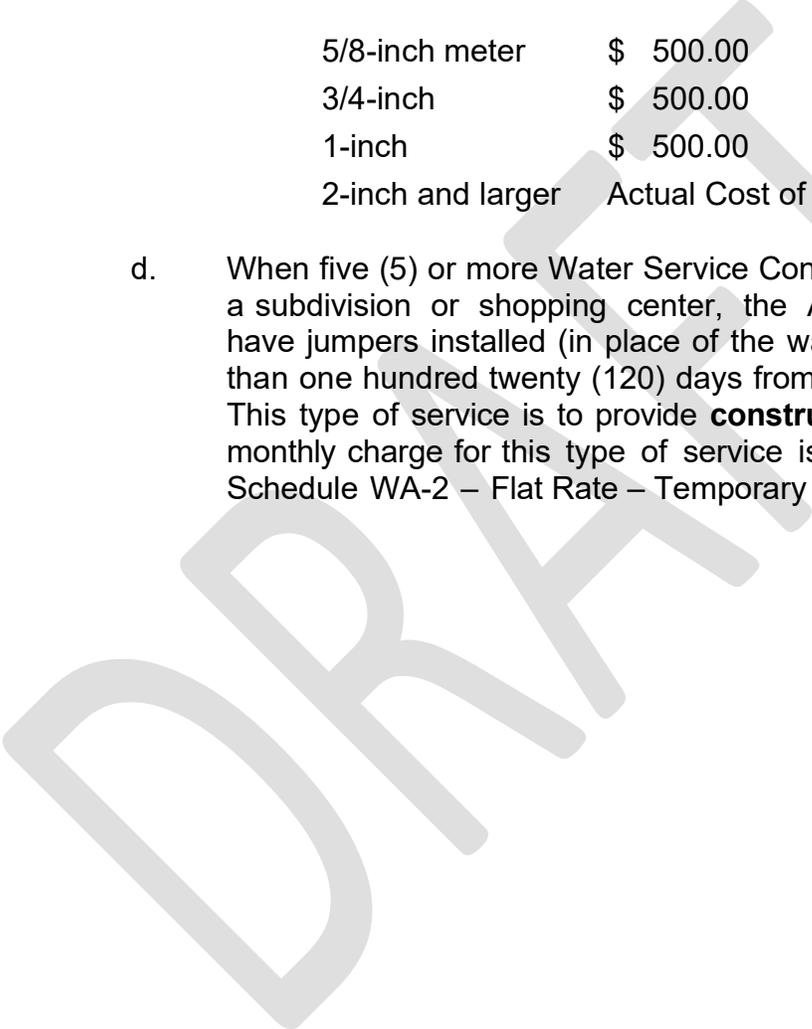
**Water Service Connection Fee**

- c. The charges to be collected by the Water System for the tapping of the main and installation of the service line to the meter box, meter box, valve, and meter are set forth below:

Size of Water Meter (Service Lateral, Water Meter, Vault)

5/8-inch meter	\$ 500.00
3/4-inch	\$ 500.00
1-inch	\$ 500.00
2-inch and larger	Actual Cost of Installation

- d. When five (5) or more Water Service Connections are installed in a subdivision or shopping center, the Applicant may elect to have jumpers installed (in place of the water meter) for no more than one hundred twenty (120) days from the date of installation. This type of service is to provide **construction water** only. The monthly charge for this type of service is shown in Water Rate Schedule WA-2 – Flat Rate – Temporary Service.



**WATER RULE 12**

**WATER SUPPLY THROUGH MASTER  
METERING AND  
RESALE OF WATER**

**A. MASTER METERING**

No water shall be served and individually charged to two or more separate parcels of property, through a common water meter. Master Metering is not allowed for any and all new services. Existing services where Master Meter installations have been permitted and installed are grandfathered but subject to the provisions of this policy and Rule 7.

At the discretion of the Water System, water supplied through an existing master water meter may continue for the following types of development.

- Apartment Complex Condominiums/Townhouses
- Shopping Centers
- Industrial Parks
- Mobile Home/Trailer Parks

**B. RESALE OF WATER AND SUBMETERING**

No Customer shall resell any of the water received from the Water System, except as may be authorized by a Water Reseller's Agreement and the Town of Oak Ridge.. The Customer shall not resell water to a tenant at a monthly charge higher than tenant's measured pro rata share of the total monthly charges as rendered by the Water System. The cumulative monthly amount charged to tenants by a Customer under a Water Reseller's Agreement cannot exceed the total monthly amount the Customer is charged by the Water System. Water used by any Customer shall be restricted to use on the Premises specified in the application for service. "Tenants" may also include owners of property within a development.

A copy of the applicable rate schedules and this Rule 12 shall be posted in a conspicuous place on the Premises being serviced by the Water System. The Water System shall have the right to discontinue service to any Customer violating this Rule 12.

**C. USE OF WATER SERVICE CONNECTION WHEN PROPERTY IS SUBDIVIDED**

When property with an existing Water Service Connection is subdivided, the Water Service Connection shall be considered as belonging to the lot or parcel of land which it will continue to serve. If the existing Water Service Connection does not abut the lot or parcel which it will continue to serve, it shall be at the Customer's expense, and the Customer shall have the connection



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relocated adjacent to the lot or parcel where use will continue. The charges for any such relocation shall be as provided in Rule 11.D.

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## WATER RULE 13

### CROSS-CONNECTIONS AND POLLUTION OF SUPPLY

#### A. CROSS CONNECTION CONTROL

1. Purpose:
  - a. To protect the public potable water supply of Water System from the possibility of contamination or pollution, due to back siphonage or backpressure, by isolating within the Consumer's private water system contaminants or pollutants which could backflow into the public water system.
  - b. To define the authority of Water System as the water purveyor entitled to eliminate cross-connections, new or existing, within its public water system.
  - c. To provide a continuing inspection program of cross-connections that may be installed in the future.
  - d. This Rule 13 is subject to compliance with the Federal Safe Drinking Water Act (P.L. 93-523), the North Carolina State Administrative Code (Title 15A, Subchapter 8C), and the North Carolina State Building Code (Volume II) as they pertain to cross-connections within the public water supply.
2. Water System's Responsibility
  - a. The Water System assumes the primary responsibility for preventing any contamination or pollution of the public water system. This responsibility begins at the point of origin of the public water supply, includes all of the public water distribution system (including the service connection) and ends at the point of delivery (water meter) to the Consumer's potable water system. The Backflow Program Administrator shall act reasonably to ensure that Customers have taken proper measures to protect the public potable water system.
  - b. At any time that the Water System determines that a backflow protection assembly is required for the prevention of contamination of the public water system, the Backflow Program Administrator shall notify the owner of any such building or Premises, in writing, and require installation of such assembly or correction of such plumbing as may be installed, as may be reasonably necessary to bring such property into compliance with this Rule.
  - c. After surveying the private water system, the Backflow Program Administrator will select an approved backflow prevention assembly required for containment control to be installed at service.



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- d. Prior to the installation of any backflow prevention assembly, the owner of the private water system must be notified that the installation of a backflow prevention assembly may create a closed system, and as a result thermal expansion may occur. Under such circumstance, the owner must understand and assume all liability and responsibilities for any thermal expansion or the effects thereof.

2. Responsibility: Customer's Responsibility

- a. The Customer has the responsibility of preventing contaminants and pollutants from entering the customer's private water system or the public water system operated by Water System. The Customer, at his own expense, shall install, operate, and maintain all backflow prevention assemblies specified within this policy.
- b. If a tenant Customer does not maintain the private water system and has no authority to bring the system into compliance with the provisions of this policy, the Water System may assert any available action against the tenant to assure the private water system is brought into compliance with this Rule, including suspension and/or termination of the water service thereto.

**B. DEFINITIONS**

1. Backflow Prevention Assembly – Approved: An assembly that has been investigated and approved by the Water System and has been approved to meet the design and performance standards of the American Society of Sanitary Engineers (ASSE), the American Water Works Assoc. (AWWA), or the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California.

**C. RIGHT OF ENTRY**

1. Authorization:
  - a. Upon presentation of proper credentials and identification, any authorized representative from the Water System shall have the right to enter any building, structure, or premises during normal business hours, or at any time during the event of an emergency, to perform any duty imposed upon him/her by this Rule. Those duties include but are not limited to sampling and testing of water, or inspection and observation of all piping systems connected to the public water supply. Refusal to allow such representative to enter for these purposes will result in the Water System obtaining an administrative order for entry and potential disconnection of water service.

On request, the consumer shall furnish to the water purveyor any pertinent information regarding the water supply system on such property where cross-connection and backflow are deemed possible

**D. ELIMINATION OF CROSS-CONNECTIONS**

1. Unprotected cross-connection prohibited:
  - a. No water service connection to any private water system shall be installed or maintained by the Water System unless the water supply is protected as required by this Rule and other applicable laws. Service of water to any premises shall be discontinued by the Water System if a backflow assembly, required by this Rule, is not installed, tested, and maintained, or if a backflow assembly has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will be restored after all such conditions or defects are corrected.
  - b. No customer shall allow an unprotected cross-connection to be made or to remain involving the Customer's private water system.
  - c. No connection shall be made to an unapproved auxiliary water supply unless the public water supply is protected against backflow by an approved backflow assembly, appropriate to the degree of hazard.
  - d. No Customer shall fail to maintain in good operating condition any backflow prevention assembly, which is part of the Customer's private water system and is required by this Rule.
  - e. No Customer shall fail to submit to the Water System any record which is required by this Rule.

**E. INSTALLATION**

1. Installation and testing of backflow prevention assembly:
  - a. The purpose of this section is to require that water flowing from the public water system must flow through an approved backflow prevention assembly and that each backflow prevention assembly is properly located, installed, maintained, and tested so that the backflow prevention assembly is effective in protecting the public water system from any possible contamination or pollution.
  - b. The installation or replacement of a backflow prevention assembly for domestic water use shall only be performed by a State of North Carolina currently licensed plumber or utility contractor. The installation or repair of a backflow prevention assembly on a dedicated fire sprinkler service shall be performed by a State of North Carolina currently licensed fire sprinkler contractor or utility contractor. All backflow prevention assemblies shall be tested by a State of North Carolina currently certified backflow technician authorized by the Water System. Repairs to a backflow prevention assembly on a dedicated fire sprinkler system may only be performed by a State of North Carolina currently licensed fire sprinkler contractor.
  - c. All new construction plans and specifications which will directly affect the



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Water System and/or are required by the North Carolina Building Code, the North Carolina Department of Environment and Natural Resources (NCDENR), and/or by other Town or County Planning and Zoning Offices, shall be made available to the Operation Official's Backflow Program Administrator for review and approval, and to determine the degree of hazard to the water system.

- d. Any existing property zoned commercial or industrial and having existing water services with the Water System and for which a request is made for a certificate of occupancy from the Town Planning Department, shall be inspected for compliance with all applicable backflow and cross-connection control prevention rules and regulations. Any such property not having backflow protection or changing the degree of hazard to the water system shall be brought into compliance before the Backflow Program Administrator may approve the release of a certificate of occupancy.
- e. All backflow prevention assemblies must be installed and maintained on the Customer's premises as part of the Customer's private water system at or near the service connection and before the service line is connected to any other pipes except as authorized by the water purveyor.
- f. If it has been determined that a backflow prevention assembly cannot be installed at the meter service or other outside location, the Backflow Program Administrator may allow the assembly to be installed just inside any building affected by such determination if a request therefor is made by the affected Customer.
- g. Any branch of plumbing installed on a private water system that may be of a greater hazard to the water system than the supply line, such as, and without limitation, a chemical induced irrigation or fire system, or a pump system, shall be protected with a reduced pressure zone assembly.
- h. All backflow prevention assemblies shall be installed in accordance with the backflow and cross-connection specifications furnished by the Water System and/or the manufacturer, whichever is most restrictive.
- i. All double check valve assemblies two (2") inches or larger must be installed in a watertight drainable pit wherever subsurface installation is necessary, in accordance with the backflow and cross-connection specifications furnished by the Water System. If a drain cannot be provided, the assembly must be installed above ground.
- j. Double check valve assemblies may be installed in a vertical position with prior approval from the Backflow Program Administrator provided the flow of water is in an upward direction.
- k. Reduce pressure principle assemblies must be installed in a horizontal position and in a location in which no portion of the assembly can become



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submerged in any substance under any circumstances Pit installations are prohibited.

- l. Any customer installing a reduced pressure zone (RPZ), reduced pressure detector assembly (RPDA), pressure vacuum breaker (PVB), double check-detector assembly (DCDA) or double check valve assembly (DCVA), shall provide the following information on forms provided by the Water System to the Backflow Program Administrator within ten (10) days of installation: service address, owner, date of installation, type of assembly, manufacturer, model, and serial number.
- m. No service shall be completed until the Backflow Program Administrator has been provided sufficient information for office review and/or has surveyed the private water system, to determine the degree of hazard to the water system and made a determination of compliance with all applicable rules and regulations of any backflow prevention assembly intended for installation and connection to the public water supply.
- n. The Backflow Program Administrator must approve each backflow assembly required by this Rule. Specifications for backflow assemblies are furnished by the Water System. Any unapproved backflow assemblies must be replaced with an approved backflow assembly within a time set by the Backflow Program Administrator.
- o. If it has been determined that a customer must install a backflow prevention assembly, the Backflow Program Administrator will provide the customer with a letter of notification requiring such installation. The following time periods shall be set forth for the installation of the specified assemblies:
  - (1) Health Hazard 60 days
  - (2) Non-Health Hazard 90 days
- p. If an imminent hazard or unreasonable threat of contamination or pollution to the public water system is detected, the Backflow Program Administrator may require the installation of the required backflow assembly immediately or within a shorter time period than specified in Sub-Section E.1.o.

**F. TESTING AND REPAIR**

- 1. Testing and repair of backflow prevention assemblies:
  - a. Testing and repair of backflow prevention assemblies shall be made by a certified backflow prevention technician approved by the Backflow Program Administrator. Such tests are to be conducted annually or at a frequency established by the Backflow Program Administrator. A State of North Carolina currently certified backflow prevention technician shall perform any such testing, and the test results shall be submitted to the Backflow Program Administrator on an approved form within thirty (30) business days after the completion of any testing. If a repair is found



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necessary on an assembly, it must be re-tested. A complete duplicate copy of any repair shall be sent to the Backflow Program Administrator within thirty (30) days of completion of the repair. Each Customer should maintain a complete copy of any tests or repairs.

- b. Each backflow prevention assembly must function properly at time of installation. The Customer will be required to test at the Customer's expense each assembly within ten (10) days following installation. A State of North Carolina currently certified backflow prevention technician shall conduct the test, and the results shall be submitted to the Backflow Program Administrator on an approved form.
- c. Any time that repairs to backflow prevention assemblies are deemed necessary, whether through annual or required testing, or routine inspection by the Consumer or by the Backflow Program Administrator, such repairs shall be completed within a specified time in accordance with the degree of hazard. In no case shall this time period exceed:
  - (1) Health Hazard Facilities - 7 days
  - (2) Non-Health Hazard Facilities - 21 days
- d. All backflow prevention assemblies with test cocks shall be tested annually or at such reasonable frequency as may be prescribed by the Backflow Program Administrator.
- e. All certified backflow prevention technicians must obtain and employ backflow prevention assembly test equipment which has been evaluated and/or approved by the Backflow Program Administrator. All test equipment shall be registered with the Backflow Program Administrator and shall be checked for accuracy not less than annually, calibrated if necessary, and certified as to such accuracy/calibration, employing a calibration method acceptable to the Backflow Program Administrator.
- f. No Customer or certified backflow prevention assembly tester shall submit any record to the Backflow Program Administrator which is false or incomplete in any material respect. No Customer or certified tester shall fail to submit to the Backflow Program Administrator any record which is required by this Rule. Violation of this subsection may result in any of the enforcement actions outlined in Section M of this Rule.
- g. All rubber components in any assembly or plumbing covered by this Rule must be replaced every five (5) years or as often as needed.
- h. If a Customer does not wish for water service to be interrupted when a backflow assembly is tested, repaired, or replaced, a parallel installation must be made, at the Customer's expense, using an approved assembly of the same degree of hazard. The parallel line may be of the same size or smaller.
- i. No service shall be completed until the Backflow Program Administrator has been provided information or has surveyed the private water system



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to determine the degree of hazard to the water system and made a determination that the backflow prevention assembly to be installed shall adequately protect the public water supply as contemplated by these Rules.

- j. Any Customer making any modification to a private system's configuration or use, which may change the degree of hazard to the water system, shall notify the Backflow Program Administrator before any such modification is made. If the Backflow Program Administrator determines that such modification requires a different backflow prevention assembly, an assembly adequate for such application must be installed before the modification is made.

**G. SEVERE HAZARD FACILITIES AND METHODS OF CORRECTION**

- 1. All severe hazard facilities must have an approved reduced pressure principle assembly as a minimum containment device.
  - a. Severe hazard facilities include, but are not limited to: any private water system used or designed to pump or which may become pressurized for use with a booster for any reason, to the extent that back pressure may occur; any private water system which contains water which has been or is being re-circulated; any building with five (5) or more stories above ground level; brewery; car wash with recycling system; bottling plant; chemical plant; dentist's office; dry cleaning plant; fertilizer plant; film laboratory; fire sprinkler or standpipe system with chemical additives; fire department connections (FDC), hospital, clinic, or other medical services building; irrigation system with chemical additives; laboratory; commercial laundry (except self-service laundry); metal processing plant; morgue or mortuary; nursing home; pharmaceutical plant; power plant; swimming pool; sewage treatment plant; tire manufacturer; veterinary hospital or clinic; restaurants; battery manufacturers; exterminators; lawn care companies; dairies; canneries; dye works; recycling facilities.
  - b. If the Backflow Program Administrator does not have sufficient access to every portion of a private water system to permit the complete evaluation of the degree of hazard to the public water system associated with such private water system, an approved reduced pressure principle assembly must be installed.
  - c. All assemblies and installations shall be subject to inspection and approval by Operation Official's Backflow Program Administrator.
  - d. Filling of tanks/tankers or any other container from a Water System-owned fire hydrant is strictly prohibited unless it has been equipped with the proper meter and backflow protection therefor. For hydrants so equipped, the Water System may issue a permit for such tank/tanker or container access. Any unauthorized connection to a fire hydrant shall be deemed an unauthorized cross-connection to the public water system subject to fines or other enforcement action as allowed by law and./or

these Rules.

**H. MODERATE HAZARD:**

1. All moderate hazard facilities must have a double check valve assembly as a minimum containment device.
  - a. Moderate hazard facilities include, but are not limited to connections to tanks, lines, and vessels that handle non-toxic substances, all industrial facilities, and most commercial facilities not identified as high hazard facilities.
  - b. Only a backflow prevention assembly offering a greater degree of protection may be installed in place of a specified assembly required by this Rule.

**I. IMMINENT HAZARD**

1. If it has been determined that a Customer's private water system has an imminent hazard to the public water system, such Customer must install a backflow prevention assembly specified by the Backflow Program Administrator and this Rule. This assembly must be installed within twenty-four (24) hours of actual notification from the Program Administrator. If the customer fails to install the specified assembly within such time, water service to the Customer's private water system will be terminated and may be subject to civil penalties as allowed by law and/or these Rules. In the event the Backflow Program Administrator is unable to provide actual notification to the Customer within twenty-four (24) hours of determining an imminent hazard exists, the Backflow Program Administrator may terminate water service until the specified assembly is installed. These actions may be carried out under the Safe Drinking Water Act (Title XIV Section 1431) and the N.C. State Plumbing Code (appendix D104.2.6).

**J. LAWN IRRIGATION SYSTEMS**

1. All proposed lawn irrigation systems will be served through a separate meter and must have a reduced pressure zone assembly as a minimum containment device.
2. Only a backflow prevention assembly offering a greater degree of protection may be installed in place of a specified assembly required by this Rule.

**K. FIRE SPRINKLER SYSTEMS**

1. All fire sprinkler systems with Fire Department Connections (FDCs), booster facilities, or chemical additives must have a reduced pressure zone assembly as a minimum containment device.

**L. NOTICES:**



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1. Notice of Contamination of Pollution:
  - a. In the event the Customer's private water system becomes contaminated or polluted, the Customer shall notify the Water System immediately.
  - b. In the event a Customer has reason to believe that a backflow incident has occurred between the Customer's private water system and the public water system, the Customer must notify the Water System immediately and must cooperate with the Water System in implementing appropriate measures to isolate and remove the contamination of pollution.

**M. VIOLATIONS:**

1. Notification of violation:
  - a. A written notice must be presented to any Customer/person who has been found to be in violation of any part of this Rule.
  - b. Such notice of violation (NOV) must explain the violation and prescribe the time period within which the violation must be corrected. The time period prescribed to correct a violation shall not exceed thirty (30) days after actual notice unless otherwise specified. If the violation has been determined by the Backflow Program Administrator to be an imminent hazard, the Customer shall be required to correct the violation immediately and in such time as the circumstances reasonably require.
  - c. In the event a Customer is found in violation of this Rule and fails to correct any cited violation in a timely manner, or to pay any civil penalty or expense assessed under this section, water service will be terminated.
2. The violation of any section of this Rule may be punished by a civil penalty listed as followed:
  - a. Unprotected cross connection involving a private water system, which has an imminent hazard: \$1000 per day not to exceed \$10,000.
  - b. Unprotected cross connection involving a private water system which is of a moderate or severe hazard: \$500 per day not to exceed \$10,000.
  - c. Submitting false records or failure to submit records, which are required by this Rule: \$1,000 per incident.
  - d. Failure to test or maintain backflow prevention assemblies as required: \$100 per day.
3. Reduction of Penalty:



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- a. The Backflow Program Administrator may reduce or dismiss any civil penalty imposed under this section if the Backflow Program Administrator has determined that the person charged with the violation has no past history of violation of these Rules and complied in a timely manner with the relevant NOV.
- b. No civil penalty shall be reduced if it has been determined the violation was intentional.
- c. Any person violating any part of this Rule must reimburse the Water System for any expense in repairing damage to the public water system caused by any violation and for any expense incurred for investigating a violation.

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**WATER RULE 14**

**TURN-ON/TURN-OFF AND RECONNECTION OF WATER SERVICE**

**Turn on/Turn off of Water Service For Repair by Customer**

Customer requests to the Water System for turn-off or turn-on of water service for the purpose of making repairs or changes to their plumbing, at times other than normal working hours, will be billed a minimum service call charge as follows:

<u>Monday through Friday</u>	<u>Next Day Charge</u>	<u>Same Day Charge</u>
4:00 p.m. to 10:00 p.m.....	\$45.00	\$55.00
10:00 p.m. to 7:30 a.m.....	\$85.00	\$95.00
<u>Weekends and Holidays</u>	<u>Next Day Charge</u>	<u>Same Day Charge</u>
8:00 a.m. to 4:00 p.m.....	\$45.00	\$55.00
4:00 p.m. to 8:00 a.m.....	\$85.00	\$95.00

The service call charge may be waived if the turn-off or turn-on is necessitated by an emergency over which the Customer has no control, such as but not limited to rupture of home plumbing, or other reasonably unforeseeable damage. The Water System will have the sole discretion of determining the validity of such an emergency.

**Reconnection of Water Service**

The Water System will attempt same day restoration of service to any Customer making full payment prior to 2:00 p.m. For restoration of service to Customers at times other than normal working hours, Customers will be billed a minimum charge as follows:

<u>Monday through Friday</u>	<u>Next Day Charge</u>	<u>Same Day Charge</u>
4:00 p.m. to 10:00 p.m.....	\$45.00	\$55.00
10:00 p.m. to 7:30 a.m.....	\$85.00	\$95.00
<u>Weekends and Holidays</u>	<u>Next Day Charge</u>	<u>Same Day Charge</u>
8:00 a.m. to 4:00 p.m.....	\$45.00	\$55.00
4:00 p.m. to 8:00 a.m.....	\$85.00	\$95.00

## **WATER RULE 15**

### **WATER WASTE**

Any Customer or other person using, wasting, or permitting water to run from any water main, tap, fire hydrant, or other connection in a manner not authorized under these Rules shall pay for all such water to the Water System at the rates fixed in Water Rate Schedule WA-1, notwithstanding the fact that such water is not metered.

Reference is made to Town Code Section **[Insert reference to Town Ordinance once adopted]** - RUNNING WASTE WATER UPON STREETS: "It shall be against Town Code for any Person using water for irrigation, domestic or other use or purpose, to run any water or allow the same to run onto or upon any public street in the Town, but each Person must care for and dispose of his own water."

Reference is also made to Town Code Section **[Insert reference to ordinance once adopted]**:

In the event that waste of water shall be found to be due to leaking, or defective or wasteful equipment, such water shall remain shut-off until such Customer makes necessary corrections in their equipment to prevent further water waste.

## WATER RULE 17

### DISPUTED BILL APPEAL PROCESS

- A. Customers who believe their Water System bill is in error must first contact Operation Official's Customer Service Division in person or in writing, at the address provided on the Water System bill within five (5) days after receiving their bill and request an investigation concerning the bill.
- B. Water System Services will not be discontinued for nonpayment of a disputed bill pending the outcome of a timely requested investigation. The Water System may require that an amount equal to the Customer's average bill for a comparable period of time be deposited with the Water System at the time and manner as normally required, pending the outcome of the investigation and all subsequent appeals. Failure to make the deposit as and when due shall constitute abandonment of the complaint or request for investigation and the Customer's duty to make timely payment shall be as normally required, and any previous outstanding bill amounts tolled by the appeals process shall be due in full within ten (10) days. The Water System during any such appeals process shall continue to make regularly scheduled meter readings and issue statements as scheduled. Any deposit made to Water System pursuant to this Appeals process shall be applied to outstanding amounts due by the Customer. Subsequent Water System bills, which are not disputed, must be paid to the Water System within the normal time allowed therefor to avoid discontinuance of service. A Customer, whose request for investigation regarding a bill for Water System service results in a determination that is adverse to the Customer, may appeal such determination by submitting a written appeal within ten (10) days of the date of the determination, setting forth the reasons why the Customer believes the determination is incorrect. Such appeal must be submitted by certified mail addressed to the Director of Operations, c/o: Operation Official, PO Box 670, Bailey, NC 27807.
- C. Upon the receipt of the properly executed and delivered written statement, the Director of Operations, or their representative will determine if the Customer Service Division's investigation was thorough, complete, and equitable in addressing the aspects of the billing dispute. The results of this determination will be communicated to the Customer in writing.
- D. If the billing dispute is not satisfactorily resolved with the Director of Operations or his/her representative, the Customer may request a review by the Town Manager by sending a written statement within five (5) days of the date of the Director of Operations's decision by mailing the notice to the Town Manager, Oak Ridge Town Hall, 8315 Linville Rd, Oak Ridge, NC 27310. Upon receipt of such timely sent review request, the Town Manager will determine whether to uphold, modify, or reverse the Director of Operations's decision and shall communicate said



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determination to the Customer in writing. The decision of the Town Manager shall be final. All amounts deposited with the Water System by the Customer during the review process shall be applied to the amounts determined to be owed by the Customer, and any balance owed shall be due and payable within ten (10) days of the date of the Town Manager's written decision. Any amounts in excess of the amount determined to be due shall be applied to any other outstanding amounts owed by the Customer to the Water System first, and any balance in excess thereof shall be held and applied to the Customer's future bills until the appeal deposits are depleted. The Customer shall have the right to request in writing the refund of any amounts in excess of Ten (\$10.00) Dollars. Any such amounts due Customer shall be mailed to the Customer at the Customer's account address of record within thirty (30) days of receipt of Customer's written request.

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**ATER RULE 20**

**WATER SYSTEM'S RIGHT OF ACCESS**

**A. RIGHT OF ACCESS**

The Customer by application for water system services hereunder agrees and consents that Water System shall at all times have the right of safe ingress to, and egress from, the Customer's Premises at all reasonable hours for any purpose reasonably connected with the supplying of water service and the exercise of any and all rights secured to the Water System by law or these Rules.

The Customer is responsible for providing and maintaining unobstructed access for the Water System to all Water System-owned facilities located on the Premises.

Failure to permit access and allow work on the Water System's facilities are grounds for termination of service. This work includes the periodic reading of meters, maintenance or replacement of the service and metering facilities, vegetation management, and other necessary work on the Water System's water facilities including removal after termination of service.

If safe access to the meter is not provided for any reason including without limitation locked doors, fences, insufficiently restrained pets, or vegetation, the Water System will notify the Customer of access problems via a door hanger during a monthly scheduled read.

If the Water System is required to make an appointment or other arrangement to read the meter more than once during any 12-month period, a charge will be made for each appointment thereafter.

These rules are in addition to the legal rights of the Water System by way of easements vested in the Water System.

**B. FIRE HYDRANTS**

Fire hydrants are provided for the primary use of the Fire Department in extinguishing fires.

1. Clearance - Fire hydrants shall have a minimum clearance circumference of five feet (5').
2. Fire hydrants installed by the Water System shall be installed only within public streets or public property except that in private developments fire



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hydrants may be installed within public easements where beneficial use is determined by the Fire Department and the Water System and providing the fire hydrant and gate valve are accessible at all times and other requirements, as determined by the Water System, are complied with.

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APPENDIX A

**WATER FEES AND CHARGES SCHEDULE**

**APPLICABILITY**

The water fees and charges herein are applicable to all classes of service as provided in accordance with the Water Rules and Regulations, save and except for any fee and charge listed in the Water Rules and not included on this schedule.

<b>Rule Number</b>	<b>Section Reference</b>	<b>Description</b>	<b>Fee Amount</b>
4		Minimum Deposit/Residential (Initial Service)	\$150.00, or letter of credit, or \$50 with additional information
4		Minimum Deposit/All other classes	3 x three month average with \$150.00 minimum
4		Minimum Deposit/Reconnection/All Classes of Service	3 x three month average with \$150.00 minimum
4		Service Reconnection / Connection Charge (After hours, weekends, and Holidays)	\$0 w/ 2 day notice, \$50 if disconnected for cause, \$35 if disconnected by request. \$95 for after hours.
4		Special Appointment Turn-On Charge added to applicable fee (Does not apply to afterhours, weekends or Holidays)	\$35.00
5	E.	Return Check Charge	\$50.00
6	B.2	Meter Test/Second Request Within One Year Period	\$Cost of test + \$25.00 administration fee (paid in advance. If meter found in error then refunded.)
6	B.1	Re-Read/second request within 12 months	\$25.00 (paid in advance. If meter

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			found in error then refunded.)
7	E.2	Fund Verification Fee	\$5.00 or actual charges whichever is greater.
7	D.11	10-Day Notification (Master Metered accounts receive Multi-Unit notification)	\$20.00 + \$1.00 per notice
7	A	Trip charge for additional field visit (Cut-off, etc.).	\$45 next day (daytime)/\$85 next day (evening); \$55 same day (daytime)/\$95 same day (evening)
7	E.4	Service Reconnection Charge Additional trips.	\$45 next day (daytime)/\$85 next day (evening); \$55 same day (daytime)/\$95 same day (evening)
7	E.5	Additional Fee will be added to Reconnect S.O. if Customer has self-restored	Reconnection fee + Additional Time, Material + Overhead
7	E.6	Reconnection Charge/Additional-Meter Removed	\$80.00 + Time & Material and Overhead
8	B.1	Temporary Water Service	Time and Material plus Overhead
8	B.2	Temporary Water Service-Fire Hydrant Water Meter	
		Processing Fee	\$40.00 per meter
		Deposit	\$1,000 per meter
8	B.2.c	Set, Move or Relocation of Temporary Fire Hydrant Water Meter	Time and Material plus Overhead
8	B.2.d	Failure to Return Meter to Operation Official for Reading per month	\$40.00 per meter plus 10 percent of deposit.

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8	B.3	Removal of Fire Hydrant Operating Nut	\$30.00
8	B.4.a	Rental of Backflow Prevention Assembly Per Assembly	
		Processing Fee	\$40.00 per unit
		Deposit	\$1,000 per unit
		Daily Rental Charge-Two-Inch Backflow Preventer	\$5.00 per calendar day
8	B.4.b	Set or move Backflow Prevention Assembly from location to location	Time and Material plus Overhead
10	B.4.j	Covenant & Agreement Charge – Preparation Charge	\$1,000.00
10	B.2.a	System Development Fee	
		¾"	TBD
		1"	TBD
		2"	TBD
		3"	TBD
		4"	TBD
10	B.3.b	Connection Fee	\$500.00
10	B.4.b	Meter Installation	\$70.00
10	B.5.b	New Account Fee	\$20.00
10	B.6.a	Contract Charges	TBD
10	B.7.a	Permit, Plant & Inspection Fee	TBD
10	C.2.b	Inspection Fees	TBD
10	C.2.b (1)	Inspection Fees (per lineal foot of pipeline)	TBD
10	C.2.b (2)	Fire Hydrant (for each)	TBD
10	C.2.b (3)	1 inch Service (for each)	TBD
10	C.2.b (4)	2 inch Service (for each)	TBD
10	C.2.b (5)	4 inch Service or larger (for each)	TBD

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10	C.2.b (6)	Initial Pressure Test and Hydrant Flow Test (for each)	TBD
10	C.2.b (7)	Pressure Test (for each after Initial) (re-test)	TBD
10	C.2.b (8)	Extended Construction	TBD
10	C.2.b (9)	Additional Inspection Visits	TBD
10	C.2.b (10)	For each wet tap witnessed by Water System inspectors	TBD
10	E.1.d	Water Service Connections for Individual Premises of 4" or larger, Cash Refundable Bond (per Connection) to guarantee final completion by private contractor	
10		Water Meter Charges	
10		Water Main Oversizing Reimbursement	
		8-inch Standard – 12-inch Oversized	
		12-inch Standard – 16-inch Oversized	
11	B.3	Bacteriological Testing for Water Meters 2-Inch and Larger Flushing Testing Charge	\$200 per flushing event (90 minute maximum)
11	D.2	Request for larger meter upon lateral replacement (in addition to any applicable Facility Capacity Charges)	Time and Material plus Overhead
11	D.3	Request for larger meter. No lateral replacement (in addition to any other applicable charges)	Time and Material plus Overhead
11	D.4	Relocation of fire hydrants	Time and Material plus Overhead
11		Repair of Water Facilities	Time and Material plus Overhead
11	G.2	Fire Service Connection above-ground (2 inch and larger)	
13	C.4.b	Test/Repair of Backflow Prevention Assembly	Time and Material plus Overhead



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14		Turn-On and Turn-Off of Water Service for Repair by Customer	See Rule 14
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**SCHEDULE WA-1 RESIDENTIAL METERED SERVICE**

**APPLICABILITY:**

Applicable to Single-Family Dwelling Units and Multi-Family Dwelling Units.

**TERRITORY:** Town.

**RATES:**

**1) Base Charge per Month Residential**

\$15.00 per month

**2) Usage Charge**

Quantity Rates (to be added to Base Charge)

<i>Gallons per Month</i>	<i>Standard</i>
<i>ALL USAGE by GALLON</i>	\$5.00 PER 1,000 GALLONS

**SPECIAL CONDITIONS**

1. Multi-Family Accommodations

All master meters must conform with the requirements of Water Rule 12, including the execution of an appropriate submetering agreement.

2. Applicable Rate Schedule

a. Applicable Rate Schedule

For Customers applying for service at an existing service address, the Water System will assign a water rate schedule based on the characteristics of the service address. The Water System will presume that any water rate previously assigned to that service address is the appropriate schedule, unless the Customer requests a review for another applicable rate schedule, rate, or optional provision. In certain situations when a Customer does not qualify for a water rate previously assigned to that service address, the Water System will assign the applicable rate to the Customer. The Water System assumes no responsibility for advising the Customer of lower optional rates under existing schedules available as a result of the Customer's changes to the characteristics of the service address.

b. Change of Rate Schedule



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A change to the applicable rate schedule may be made if the Water System determines that the Customer no longer qualifies for the assigned rate schedule. The change will become effective for service rendered after the next regular meter reading following verification and approval by the Water System of such eligibility. Any change in rate schedules pursuant to this section shall be made prospectively only.

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