

TITLE V: PUBLIC WORKS

Chapter

50. WATER AND SEWER SYSTEM REGULATIONS

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GENERAL PROVISIONS

§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOD (BIOCHEMICAL OXYGEN DEMAND). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in parts per million.

COLOR. The true color due to substances in solution which cause any variation in the hue of the receiving stream and is expressed in parts per million.

DOMESTIC SEWAGE. Liquid waste from residential bathrooms, toilet rooms, kitchens and laundries.

EXCESSIVE RADIATION DOSE. A dose of radiation in excess of the maximum permissible dose.

GARBAGE. Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

INDUSTRIAL WASTES. The polluted liquid wastes from institutional, commercial and industrial processes and operations as distinct from domestic sewage.

MAXIMUM PERMISSIBLE DOSE. A dose of radiation to any part of the body, whether internal, external, or both, that in the light of present knowledge is not expected to cause appreciable bodily injury to a person any time during his or her lifetime.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface of groundwater.

pH. The logarithm (base ten) of the reciprocal of the hydrogen ion concentration and indicates the degree of acidity or alkalinity of a substance.

PPM. Parts per million.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

RADIATION. Gamma rays and x-rays, alpha and beta particles, high speed electrons, neutrons, protons and other nuclear particles; but not sound or radio waves or visible, infrared or ultraviolet light.

RADIOACTIVE MATERIAL. Any material, whether solid, liquid or gas, that emits radiation spontaneously.

RECEIVING STREAM. That body of water, stream or watercourse receiving the discharge waters from the sewage treatment plant.

SANITARY SEWER. A sewer which carries domestic or industrial wastes.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions, industrial establishments and the like.

SEWAGE COLLECTION SYSTEM. All local facilities for collecting and pumping sewage.

SEWAGE TREATMENT PLANT. Any arrangement or devices and structures used for treating sewage.

SEWAGE WORKS. All facilities for collecting, pumping, treating and disposing of sewage.

SEWER. A pipe or conduit for carrying sewage.

SUSPENDED SOLIDS. Solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

STORM SEWER or ***STORM DRAIN.*** A sewer which carries storm and surface waters and drainage but excludes domestic sewage and industrial wastes.
(Prior Code, § 30.01)

§ 50.02 CHAPTER INCORPORATED IN CONTRACT FOR SERVICE.

All pertinent provisions of this chapter are hereby made a part of the terms and conditions whereby the town furnishes sewer or water service to any person, or whereby the town makes any sewer or water

connections or performs any work of any kind in connection with the furnishing of sewer or water service.

(Prior Code, § 30.02)

§ 50.03 APPLICATION FOR CONNECTION.

(A) Every application for a sewer or water connection shall state the name of the owner of the lot; the name of the street on which the lot is situated; the number of the house, if there is one on the lot, or, if not, a description of the location of the lot; the number and kind of connections desired; and the character of surface of the abutting street.

(B) Every application shall be signed by the person making the application, shall be accompanied by the proper fee for making the connection applied for, and shall be filed with the Town Administrator.

(C) All sewer and water taps made to and upon the town's mains shall be paid for in cash at the prevailing rate of cost for these taps before the tap is made.

(Prior Code, § 30.03)

§ 50.04 SEPARATE CONNECTION REQUIRED FOR EACH BUILDING.

Every house or building abutting any water or sewer main and requiring a water or sewer connection shall be separately and independently connected, except in those cases where laterals have already been laid on macadam or improved streets from such main without provision being made for such house or building, in which case the connection may be made to an existing lateral. When two or more houses or units are connected with the same water lateral, a separate meter shall be provided for each house or unit. If the house or building is on a macadam or improved street where laterals have not been laid, the connection may be made to any convenient lateral.

(Prior Code, § 30.04) Penalty, see § 50.99

§ 50.05 OWNERSHIP, MAINTENANCE OR METERS OR EQUIPMENT.

(A) All meters, meter boxes, pipes and other equipment furnished and used by the town in installing any water or sewer connection shall be and remain the property of the town.

(B) All meters, except those required to be furnished by particular users of water, shall be kept in good repair and working order by the town and at the expense of the town. Meters furnished by particular users of water shall be kept in good repair and working order by the town but the expense thereof shall be borne by these users.

(Prior Code, § 30.05)

§ 50.06 CONNECTION FROM OUTSIDE OF TOWN.

No connection of any water or sewer line or system outside the town shall be made to the town's system except by permission and such terms as the Town Council shall prescribe.
(Prior Code, § 30.06) Penalty, see § 50.99

WATER RATES AND BILLING

§ 50.20 WATER RATES.

(A) The current schedule of water rates on file in the office of the Town Administrator is hereby incorporated by reference as though set forth herein in full.

(B) Water shall be furnished to consumers at metered rates only. However, water shall be furnished to all firms, corporations or organizations within the town principally engage in providing outdoor facilities for public athletic contests, swimming, boating, racing or supervised public recreation for a flat rate monthly charge established from time to time by the Town Council, regardless of whether any charge is made by the firm, corporation or organization for admission of participants or spectators.
(Prior Code, § 30.10)

§ 50.21 DEPOSITS BY TENANT REQUIRED.

(A) (1) When any tenant of any premises make application for water to be furnished to the premises, he or she shall be required to make a deposit as hereinafter set to guarantee the payment of water rent, if at the expiration of the time limited by § 50.22, for the payment of water rent for any month, that portion of the deposit as may be applied to the payment of the water rent. If a tenant vacates the premises without notifying the Water Department and having the water cut off, he or she shall forfeit any balance of the deposit remaining after the water rent due has been deducted therefrom.

(2) The amount of the required deposits, whether the premises are inside or outside the corporate limits, shall be as follows: for any premises used as a dwelling house, the deposit shall be \$100 to \$250.

(B) The making of the deposit required by division (A) above shall not operate to relieve the owner of any premises of liability for the payment of any water bill incurred thereon by any tenant of the premises, except to the extent of the deposit. Every landlord renting or leasing premises to tenants required by division (A) above to make a deposit shall immediately notify the Water Department upon the vacation of the rented or leased premises by the tenant.

(Prior Code, § 30.11) Penalty, see § 50.99

§ 50.22 READING OF METERS; BILLING.

Meters shall be read monthly and bills therefor shall be payable on or before the eighteenth day of each month.

(Prior Code, § 30.12)

§ 50.23 DELINQUENT ACCOUNTS.

(A) Any bill for water service furnished to any dwelling house, business establishment, industry or other building remaining unpaid and overdue 19 days after the first day of the month in which the bill is rendered shall become delinquent.

(B) If the account is delinquent at 1:00 p.m. on the twenty-second day of the month, water service to the dwelling, house, business establishment, industry or other building shall be discontinued unless the appeal procedure of § 50.24 has been invoked.

(C) Before service is resumed, the delinquent account must be settled in full and cut-on fee of \$20 be paid.

(D) When any water service is cut off or discontinued pursuant to division (B) above, it shall be unlawful for any person, firm or corporation, other than the town or its agents or employees, to turn or cut on or off the water service or supply to the property or use the same in connection with the property without first having water. Anyone convicted of cutting on or off any water service or supply or otherwise tampering with or altering the town's water distribution system contrary to and in violation of this division (D) shall pay a fine or penalty.

(E) The water meter may be removed or locked at any time for nonpayment of the account and a fee of \$20 shall be charged for reinstallation of the water service.

(Prior Code, § 30.13) Penalty, see § 50.99

§ 50.24 APPEAL PROCEDURE FOR DISPUTED CHARGES.

(A) Any customer of the Town Water Department who questions or disputes his or her bill or the amount of his or her charges may request a hearing with a representative of the town to resolve the dispute.

(B) The request for the hearing must be made not later than the twenty-first day of the month on which the bill is dated.

(C) The Town Administrator is hereby authorized to hear all such disputes and contested matters and to represent the town in resolving the disputed and contested matters.

(D) Any customer may appeal the decision of the Town Administrator to the Town Council at its next scheduled meeting, and the decision of a majority of the Town Council present at the meeting will be final.

(Prior Code, § 30.14)

EXTENSION OF MAINS

§ 50.35 COMPLIANCE REQUIRED.

No extension to the water or sanitary sewer system of the town shall be made and no application shall be approved except in accordance with the requirements of this subchapter.

(Prior Code, § 30.20) Penalty, see § 50.99

§ 50.36 APPLICATION FOR EXTENSION.

(A) From and after the effective date of this subchapter, any property owner desiring water or sanitary sewer service shall apply in writing to the Town Council requesting the extension of water or sanitary sewer service or both. No request for the extension of services shall be considered unless submitted in writing in accordance with the requirements of this subchapter.

(B) The town may require the applicant to submit as part of the written application such information or other data as may be required to adequately determine if the requirements of this subchapter are to be met.

(C) When application is made for a water or sewer extension or both to serve an area or development that is planned as part of a larger development project or subdivision, all of which is not to be developed at the time the application is made, the owner shall submit plans in sufficient detail to determine the size and type of facilities which will be necessary to serve the entire development or subdivision when completed.

(Prior Code, § 30.21)

§ 50.37 REQUIREMENTS GOVERNING EXTENSIONS.

All extensions of either water or sanitary sewer service shall be governed by the following.

(A) The minimum distance for any extension of a water main or sanitary sewer main shall be determined by the Town Council. In general, the minimum distance for extension shall be one platted block, or in the case of water mains, from main line valve to valve, block and in the case of sanitary sewer extension, from manhole to manhole.

(B) The size of water mains and sanitary sewer mains to be installed and the other required system facilities shall be determined by the Town Council in accordance with recognized standards and accepted engineering practices and design and in accordance with applicable system plans adopted by the Town Council.

(Prior Code, § 30.22)

§ 50.38 EXTENSION TO APPROVED SUBDIVISION WITHIN TOWN LIMITS.

(A) When application is received requesting the extension of water or sanitary sewer service or both to serve property within the corporate limits which is developed or has been previously approved as a subdivision, or where streets have previously been dedicated and accepted by the town, and where the area is not part of a new subdivision which has not been approved by the town, the Town Administrator or other person designated by the Town Council shall estimate the cost of the project and present the application for extension, the estimated cost and other required information to the Town Council for approval. If the application is approved by the Town Council and subject to the availability of funds, the town will install or have installed by contract under its supervision the extensions which have been approved, and the extension shall be financed in accordance with this section.

(B) When an approved water or sanitary sewer extension project has been completed, the cost based on a front foot basis shall be assessed against the property owners whose property abuts upon the extension. The assessment shall be at an equal rate per front foot or such other basis of assessment as authorized in G.S. § 160A-218, on a project-by-project basis. The remaining cost of the extensions shall be borne by the town from funds appropriated for this purpose. The current policy of assessment cost will be on file in the office of the Town Administrator.

(Prior Code, § 30.23)

§ 50.39 EXTENSION TO PROPOSED SUBDIVISION WITHIN TOWN LIMITS.

(A) When an application is received requesting the extension of water or sanitary sewer service, or both, to proposed developments of subdivisions within the corporate limits which have not been approved by the Town Council, the Town Administrator or other person designated by the Town Council shall estimate the cost of the project and present the application for the extension, the estimated cost and other required information to the Town Council for approval. If the application is approved, subject to the approval of the development or subdivision by the town and subject to the availability of funds, the town will install or have installed by contract under its supervision the extension which shall be financed in accordance with this section.

(B) Prior to the beginning of any construction, the property owner shall advance to the town funds in an amount equal to the total estimated cost of the assessments of the proposed extensions. Upon receipt of these funds, a written contract shall be entered into between the town and the property owner, under which the responsibilities of each party will be enumerated.

(C) The town will finance from its funds appropriated for this purpose the remaining cost of extensions.

(D) An engineering fee of \$100 per lot shall be paid, in advance, to the town by the owner of the subdivision to be developed. These fees are for planning, drafting, bidding and inspecting of water or sanitary sewers only.

(E) The size of the mains shall be determined by the town.
(Prior Code, § 30.24)

§ 50.40 EXTENSION WITHOUT APPLICATION.

Nothing in this subchapter shall prevent the Town Council from extending water or sanitary sewer or both within the corporate limits on their own motion without receipt of an application from property owners and to assess the cost of these extensions in accordance with § 50.39(C) when, in the opinion of the Town Council, the general public interest demands the extension of service.
(Prior Code, § 30.25)

DISCHARGE REGULATIONS

§ 50.55 PROHIBITED DISCHARGES.

(A) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any sanitary sewer:

(1) Any clothing, rags, textile remnants or waste, cloth, scraps and the like, except fibers, scraps and the like that will pass through a one-fourth inch mesh screen or its equivalent in screening ability;

(2) Any liquid or vapor have a temperature higher than 150°F;

(3) Any water or waste containing more than 100 parts per million by weight of fats, oils or grease;

(4) Any liquids, solids or gases which by reason of their nature or quality may cause fire or explosion or be in any other way injurious to person or the sewer works or its operation;

(5) Any liquid wastes with a five-day BOD of more than 600 parts per million;

(6) Any liquid wastes in which the suspended solids exceed 600 parts per million;

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(7) Any waters or wastes have a pH lower than 5.5 or higher than 10.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage works;

(8) Any waters or wastes containing any toxic or poisonous substances in sufficient quantities to interfere with the biological processes used in the sewage treatment works or that will pass through the sewage treatment works and harm persons, livestock or aquatic life utilizing the receiving stream; any wastes containing copper, zinc, nickel, chromium, cadmium, lead or other heavy metals in such quantities as to interfere with the biological processes used in the sewage treatment works;

(9) Any waters or wastes containing suspended solids of a character and quantity that unusual attention of expense is required to handle these materials at the sewage treatment plant;

(10) Any noxious or malodorous gas or substance capable of creating a public nuisance;

(11) Any garbage that has not been properly shredded;

(12) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, feathers, hair, tar, plastics, wood, paunch manure, butcher's offal or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage collection system or the sewage treatment plant;

(13) Any materials which form excessive amounts of scum that may interfere with the operation of the sewage collection system or sewage treatment plant or cause undue additional labor in connection with their operation;

(14) Any waters or wastes containing dyes or other color which cannot be substantially removed by biological processes and which require special chemical treatment;

(15) Any waters or wastes which require excessive quantities of chlorine for stabilization in addition to biological treatment; and

(16) Any waters or wastes containing radioactive material which in itself or in combination with the radioactive material discharged by all other users of radioactive material will cause contamination of the sewage collections system, sewage treatment plant or the receiving stream which may result in persons, livestock or aquatic life receiving an excessive radiation dose. If several users are discharging radioactive material to the sewage collection system, they shall, upon notification, cooperate in limiting the release of these materials and shall file with the Town Council a statement of their agree pro rata release. If this is not done within a reasonable time, the Town Council arbitrarily may assign quotas to them severally.

(B) No statement contained in this subchapter shall be construed as prohibiting any special agreement or arrangement between the Town Council and any person whereby an industrial waste or

unusual strength or character may be admitted in to the sanitary sewers for treatment by the town either before or after approved pretreatment or prehanding, and subject to payment therefor by the industry. (Prior Code, § 30.30) Penalty, see § 50.99

§ 50.56 CONDITIONAL DISCHARGES.

Any waters or wastes discharged by any person which have the following characteristics may be admitted into sanitary sewers conditionally:

(A) A five-day BOD greater than 600 parts per million;

(B) Containing suspended solids of more than 600 parts per million; and

(C) Having other characteristics prohibited in § 50.55.

(Prior Code, § 30.31)

§ 50.57 STORM WATER, GROUNDWATER.

(A) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial or commercial process water into any sanitary sewer. Unpolluted process and cooling waters may, upon written application and approval by the Town Council, be discharged into sanitary sewers.

(B) Storm water and surface drainage shall be admitted to only those sewers as are specifically designed as storm sewers or storm drains.

(Prior Code, § 30.32) Penalty, see § 50.99

§ 50.58 PRELIMINARY TREATMENT; WHEN REQUIRED.

(A) Where necessary in the opinion of the Town Council, the owner shall provide at his or her expense such preliminary treatment or handling as may be necessary to:

(1) Reduce the BOD to 600 parts per million and the suspended solids to 600 parts per million;

(2) Change the objectionable characteristics of constituents of the wastes as required so that the town's discharge will not violate it permit issued by the appropriate governmental authority; and

(3) Where directed by the Town Council as above, the owner shall provide at his or her own expense such preliminary handling as may be necessary to control the quantities and rates of discharge

of these waters or wastes over a 24-hour period. Plans, specifications and any other pertinent information relating to proposed preliminary treatment or handling facilities shall be submitted for the approval of the Town Council and no construction of these facilities shall be commenced until the approval is obtained in writing.

(B) Grease, oil and sand interceptors shall be provided when in the opinion of the Town Council they are necessary for the proper handling and control of liquid wastes containing grease, oil or sand in excessive amounts. The interceptors shall not be required for private living quarters or dwelling units, but may be required for industrial or commercial establishments, public eating places, hotel, hospitals or other institutions. The interceptors shall be located so as to be readily accessible for cleaning and inspection and shall be maintained by the owner at his or her expense in continuously efficient operation at all times.

(C) Where preliminary treatment or holding facilities are provided for any purpose they shall be maintained continuously in satisfactory and effective operation by the owner at his or her own expense. (Prior Code, § 30.33) Penalty, see § 50.99

§ 50.59 STORAGE TANKS.

(A) Whenever the town determines that the total volume of wastes to be discharged by any person in any one day has an unreasonable variation in rate of flow and pollutional value, that person may be required to construct a holding or storage tank in order to control the discharge of the wastes over a 24-hour period.

(B) This tank shall be so equipped as to thoroughly mix the wastes so that its quality will be uniform when discharged in accordance with a predetermined schedule to the sanitary sewers as determined by the town. (Prior Code, § 30.34) Penalty, see § 50.99

§ 50.60 CONTROL DEVICE, NOTICE OF CHANGE IN OPERATIONS.

(A) The control of the volume of the discharge of the wastes to the sewer shall be by a waterworks-type rate controller or other approved device, the setting and operation of which shall be directed by the Town Council.

(B) Notice shall be given to the Town Council when normal operations of the industry will be interrupted for 24 hours or longer and wastes will not be available for discharge or when a change of process is contemplated. (Prior Code, § 30.35) Penalty, see § 50.99

§ 50.61 MEASUREMENT OF DISCHARGE.

Unless otherwise agreed upon or dictated by circumstances, the volume of flow used in determining the total discharge of industrial wastes shall be based upon metered water consumption as shown in the records of meter readings maintained by the town.

(Prior Code, § 30.36)

§ 50.62 DETERMINATION OF CHARACTER, CONCENTRATION OF WASTES.

(A) The industrial waste of each person discharging wastes into the sanitary sewer may be subject to periodic inspection, and determination of character and concentration of the wastes may be made quarterly or more often as may be deemed necessary by the Town Council. The inspection and tests shall also be made immediately after any process change which may affect the quantity or quality of the wastes discharged. This inspection does not relieve the person discharging wastes into the sanitary sewer of any damages or losses resulting from the discharge of wastes into the sanitary sewer before or after this or any other inspection.

(B) The determination of the character and concentration of industrial wastes by the Town Council shall be used as a basis for charges.

(Prior Code, § 30.37)

§ 50.63 COLLECTION AND EXAMINATION OF WASTES.

(A) Samples shall be collected in such a manner as to be representative of the actual quality of the waste. Laboratory method used in the examination of the waste shall be those set forth in *Standard Methods* as described in division (B) below, a copy of which is on file with the Town Administrator for inspection by interested parties.

(B) All tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be made in accordance with the procedure given in the latest edition of *Standard Methods of Examination of Water and Sewage* published by the American Public Health Association. These tests and analyses shall be determined from samples taken at the control manhole provided for in § 50.64, or at the point of discharge of any waters or wastes at the site of their origin on the premises of any person discharging these wastes into the sanitary sewers.

(Prior Code, § 30.38)

§ 50.64 INSPECTION MANHOLES.

Any person discharging industrial wastes into the sanitary sewers may be required to construct and maintain a suitable control or inspection manhole either downstream from any treatment, storage or other approved private facilities, or if pretreatment facilities are not required, at the point where the wastes

enter the sanitary sewer. The manhole shall be located so as to be readily accessible and shall be constructed in such a manner as may be approved by the Town Council so as to facilitate that inspection or measuring necessary for proper sampling or control of the waste discharged.

(Prior Code, § 30.39)

§ 50.65 INSPECTION AUTHORITY.

The Town Council shall be permitted to enter upon all premises for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this subchapter. Notice shall be given a representative of the company or individual, if available, prior to entering the premises.

(Prior Code, § 30.40)

§ 50.66 APPLICATION FOR INDUSTRIAL WASTE DISCHARGE.

Any person who is not or shall hereafter discharge any industrial wastes into the sanitary sewers or who desires to discharge any industrial wastes into the sanitary sewers shall make written application to the Town Council. Approval of such applications will not be unreasonably withheld when written evidence is submitted by the applicant that the discharge of wastes into the sanitary sewers will comply with the regulations of this subchapter.

(Prior Code, § 30.41)

§ 50.67 SURCHARGES.

Surcharges shall be in accordance with schedules adopted and revised from time to time by the Town Council.

(Prior Code, § 30.42)

§ 50.68 DAMAGE TO SEWAGE WORKS, TESTING EQUIPMENT; OTHER DAMAGE; LIABILITY.

(A) No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any equipment or materials belonging to the town and used or intended to be used for the purposes of making measurements, tests or examination and left upon the premises of a person discharging wastes into the sanitary sewer. The prohibition against damage shall also apply to any part of the sewage works. Any person violating this provision shall be subject to immediate arrest and prosecution.

(B) The Town Council places responsibility for any damages caused to any part of the sewage works or receiving stream, or for personal injury, private and public property damage, aquatic injury or any

other loss on the person permitting, knowingly or unknowingly, the discharge of radioactive, toxic, explosive or other harmful materials into the sewage collection system.

(Prior Code, § 30.43) Penalty, see § 50.99

§ 50.99 PENALTY.

(A) Any person violating any provision of this chapter shall be guilty of a misdemeanor punishable by a fine in the amount of \$50 for each violation of any such provision. Each day any violation shall continue shall constitute a separate offense.

(B) Failure to comply with any provision of this chapter shall be cause for the discontinuance by the town of sewer service to the offending party.

(Prior Code, § 30.99)

(C) Anyone convicted of cutting on or off any water service or supply or otherwise tampering with or altering the town's water distribution system contrary to and in violation of § 50.23(D) shall pay a fine or penalty of \$150 for each offense.

(Prior Code, § 30.13) (Ord. passed 8-10-2017)

