

Chapter8

Controls of the Placement and Use of Potable Water

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Article I, Water Service in General

Sec. 8.1. Service

The Town shall provide necessary utility service to the customer at the point of street right of way or property line easement established for the utility service. Service lines and collection lines from the right of way or property line easement shall be installed, owned, and maintained by the customer subject to regulations given in this ordinance.

Sec. 8.2. Meter Responsibility

The Town shall be responsible for all damaged meters due to ordinary wear, improper installation or servicing by the Town. The customer shall be responsible for all damaged or destroyed meters resulting from negligence and shall be charged for repairs or replacement based on the current prevailing prices and repair rates.

Sec. 8.3. Tampering with Meter

It shall be unlawful for any person to alter, tamper with, "straight line" a water service, or bypass a meter which has been installed for the purpose of measuring water service. Any meter found in a condition which would cause such meter to inaccurately measure the use of water or the attachment to a meter or distribution wire of any device, mechanism or wire which would permit the use of unmetered water or would cause a meter to inaccurately measure the use thereof shall be evidence that either the person in whose name such meter was installed or the person for whose benefit it was diverted caused the water to be diverted from going through the meter or the meter to inaccurately measure the use of water.

In the event a meter has been tampered with to inaccurately record water use, historical records will be used to determine the average monthly bill for that address prior to the tampering and the account will be back-billed using the historical average use multiplied by the period of inaccuracy, minus any amount already paid for that period. If there is evidence that excessive water use over the amount of historical use then that evidence will be used to estimate the water use for the purpose of back-billing.

It shall be unlawful for any person other than authorized Town personnel to restore water service when said service was discontinued for nonpayment. If any person other than authorized personnel causes water service to be restored prior to paying in full the outstanding balance, then it shall be evidence that either the person in whose name such meter was installed or the person who benefited caused the service to be restored. It shall be unlawful for any person, without first obtaining written permission from the mayor or his/her designated representative, to tamper with, adjust, turn on, turn off or exercise any control over any fire hydrant, water valve, water service except in case of extreme emergency which belongs to the Town and used to supply and distribute water.

Sec. 8.4. Utility Billing

All meters shall be read once a month and each monthly bill shall become due and payable in its entirety on the tenth. After the tenth day, a 10% penalty shall be added. If any bill shall remain unpaid by the 20th of the month, all services to such user shall be forthwith discontinued, and shall remain discontinued until user has paid all past due balances and a reconnection charge of \$56.25 in town and \$75 out of town is paid. At the Water Dept discretion, an account balance of less than \$50.00 may be carried over to the next month's billing without disconnection of water service if the account has had a zero balance within the last 90 days.

If the town is requested to cut off the town's service valve for owner or renter to repair leaks, a service charge of \$15.00 may be charged.

Once an account has been delinquent for 60 days and the owner has not made payment arrangements or is not following the terms of those arrangements the Town will mail a final delinquency notice to the last known address. The notice will state the outstanding balance and that the debt will be turned over for collection services to include credit reporting and/or the state setoff debt collection program for all unpaid balances over 90 days delinquent.

A payment agreement for past due amounts may be interred into by any customer whose bill is less than 90 days delinquent and who's bill has had a zero balance within the last 90 days. This will be a written agreement that specifies payment terms not to exceed 6 months. In addition to the payment agreement installments the customer must keep their account current on all future monthly charges during the period of the agreement. A customer signed copy of this agreement must be maintained at the Water Department for the length of the agreement. Failure to follow the terms of these payment agreements will result in immediate disconnection of service. Additional payment agreements shall not be issued on the same account if there is an existing agreement.

Any outstanding balance on terminated accounts will be levied onto any other active utility account the owner may have with the Town. The attached account will be subject to the normal service and disconnection terms if the account becomes delinquent to include that amount attached from the delinquent terminated account. Any person or business with an outstanding utility account shall not be allowed new service until the delinquent account is paid in full.

In addition, all utility charges shall constitute a lien upon the property benefited by the utility service. In the event such charges are not paid, then the utility service shall be discontinued. At the Town Council's discretion, a lien may be levied on the property receiving the benefit regardless of the owner or tenant. Utility services shall not be restored until such time as all liens are satisfied. Termination of utility service for failure to pay any other legally constituted Town fees, licenses or taxes shall be implemented at the discretion of council and shall take effect as described in other fee or tax sections of this code. The termination shall be binding until all fees or taxes are fully paid. This shall apply to business license fees annually.

Landlords may temporarily (less than 3 months) activate an account for their rental property in between renter occupancy without the new account or deposit charge. Proof of the property being rental property may be required before activation.

(RS-11-18)

Sec. 8.5. Split Services.

No water service shall be furnished to any lot or building from an existing service if they are not the same business or residence. A water service may not serve both a residence and a separate business regardless of ownership. A water service may not serve two or more residences regardless of ownership. No water service shall be furnished free of charge to any person.

A water service may be split to serve a separate building on the same lot if the building is part of the same business providing the same service. Water service to a residence may be tied in to a detached building as long as it is not a business and has the same owner. If the detached building later becomes a business or separate ownership then the water service must be disconnected and a separate service installed.

Sec. 8.6. Shortages

When it shall be determined by the town council that a water supply shortage is imminent for any reason, the council may, by resolution, restrict the quantity of water furnished to any customer and such restrictions may be imposed on customers outside the Town limits before restricting the quantity of water furnished within the Town limits.

Sec. 8.7. Maintenance, Operation, Service

The Town shall provide personnel to maintain, operate, and service the system as required by the rules and regulations of the South Carolina Department of Health and Environmental Control. The Town agrees to use reasonable diligence in providing a regular and uninterrupted supply of potable water and services, but in case the supply of water shall be interrupted or fail by accident, deficiency, or any cause whatsoever, the Town shall not be liable for such interruption or failure and the Town shall not be liable for any damages sustained by the customer by reason thereof.

Sec. 8.8. Water Customer Accounts

All services will be metered and shall be read and billed monthly as previously stated. No adjustments shall be made to water bills unless there is an error in billing on the part of the Town.

Sec. 8.9. Right to Enter Property

Whenever it shall be necessary for the purpose of these rules and regulation, the Town utility department, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of: (1) Disconnection or reconnection of service (2) Inspecting any water equipment or plumbing; (3) Sampling; and (4) Perform maintenance or repairs to the distribution system as needed. The Town utility department may enter upon the property at any hour under emergency circumstances. (R 3-8-10)

Sec. 8.10. Backflow Preventer

All water connections that meet the State Primary Drinking Water Regulations R.61-58.7 definition of a Low Hazard or High Hazard Cross Connection must be equipped with an approved backflow preventer valve installed at the customer's expense. A list of approved backflow preventer valves is available from the water department clerk at town hall. (R3-08-10)

Sec. 8.11. Hazardous Connections

The Town may make inspections of existing building's plumbing and if any condition is found which constitutes a health hazard or potential health hazard to the water supply, the Town shall require immediate corrective action be taken by the customer or sever the water connection until the hazard is corrected by the customer to the satisfaction of the Town.

Sec. 8.12. Cross Connections

Under no circumstances shall any part of the water system be cross connected in any way with any other water source except as specifically approved by the South Carolina Department of Health and Environmental Control. Any hazardous cross connection between the water system and any source of contamination is prohibited.

Sec. 8.13. Public Health and Safety

In the interest of the public health and safety, the Town shall be permitted to take such emergency action as may be deemed necessary in the operation of the water system including the right to close down any water line or portion of the water system for the purpose of making corrections, alterations, or repairs.

Sec. 8.14. Records and Billing

While the Town will make every reasonable effort to see that each customer receives his bill, no responsibility will be assumed for non-delivery where the bill has been mailed at the post office, provided the bill has been mailed to the address which the customer has reported to the Town. All records of business transactions, billings, and receipt of funds shall be maintained by the town clerk and treasurer.

Sec. 8.15. Laterals within the Town or Public Right of Way

The Town shall own all lines within public rights-of ways by adverse possession and shall maintain same at no cost to the individual customer. The ownership by the Town shall be up to and including the meter and meter box. The customer shall own and be responsible for all portions of the system beyond the meter box. Any lines that may create a difficulty in the ownership pattern delineated herein shall be individually addressed by council after review by the mayor or his designee at the mayor's discretion.

Section 8.16. Private Wells

Except for non-potable uses such as irrigation, private wells are not allowed within the Town's water service area. For the purposes of this section, water service area is defined as any property serviced by the Town's water system within or outside of the Town's limits. Prior to installing a well, the property owner must obtain a release letter from the Town's Water Department. The property owner must then submit the release letter to the South Carolina Department of Health and Environmental Control to receive a well drilling permit.

A non-potable well may not be connected in any manor to the plumbing of a house, dwelling or building which is serviced by the Town's water system. The Town's water personnel must conduct a final inspection prior to an irrigation well being placed in service to ensure a cross connect is not occurring. The Town will periodically inspect irrigation wells to ensure cross connections have not been installed. Water produced from irrigation wells may not be discharged into the Town's sewer system under any circumstances. (A 3-8-10)

Sec. 8.17. Reserved

Article II, Water Rates, Tap Fees, Deposits, Etc.

Sec. 8.18. Setup Fees

A one-time non-refundable setup fee of \$75.00 is required for service. Upon payment of the deposit, the customer shall enter into a meter contract acknowledging responsibilities and provisions of this ordinance. Once an account has become delinquent for 90 days without a current payment agreement or the account is inactive for 90 days a new setup fee will be required to restart service.

Sec. 8.19 Reserved

Sec. 8.20 Reserved

Sec. 8.21. Metered Water Rates Inside Town

Minimum \$28.07 up to 2,000 gallons
All over 2,000@ \$4.53 per 1000 gallons

All commercial entitles that exceed 10,000 gallons per billing cycle will be assessed a system impact fee of 80 percent of water usage based on current water billing cost.

Sec. 8.22. Sewer Rates Inside Town

Base cost \$18.02
All flow @ \$3.90 per 1000 gallons

A commercial grease fee of \$31.25 per month will be charged to all accounts with commercial . kitchens (that serve the public) if they do not have a grease trap installed and maintained.

Sec. 8.23. Metered Water Rates Outside Town

Minimum \$40.13 up to 2,000 gallons
All over 2,000@ \$6.30 per 1000 gallons

Commercial entitles that exceed 10,000 gallons per billing cycle will be assessed a system impact fee of 80 percent of water usage based on current water billing costs.

Sec. 8.24. Sewer Rates Outside Town

Base cost \$29.67
All flow@ \$5.21 per 1000 gallons

A commercial grease fee of \$31.25 per month will be charged to all accounts with commercial kitchens (that serve the public) if they do not have a grease trap installed and maintained.

Sec 8.25. Reserved

Sec. 8.26. Reserved

Sec. 8.27. Reconnection Fee

This fee is activated when water is turned off for non-payment of bills. This fee is \$56.25.00 in town and \$75.00 out of town

Sec. 8.28. Fire Hydrants

\$4.50 per month for all customers

Sec. 8.29 Other Fees

The meter deposit is \$250.00.

A meter deposit is required for all new accounts and must be paid in full prior to receiving service. Once an account is closed any outstanding balance on the account will be subtracted from the deposit and the remaining deposit balance will be refunded to the customer.

If an account becomes delinquent for over 90 days without a current payment agreement any existing deposit will be used to cover the outstanding balance on the account. Any remaining balance on the account will be turned over to a collection service for recovery.

A new deposit of \$250.00 will be required to restore service if an account is delinquent or

inactive for over 90 days.

Returned Check fee is \$45.00

Sec. 8.30 Setup Fee

A one-time set-up fee of \$75.00 per account is required for the service.

Sec. 8.31 Developer/Business Agreements

On occasion to attract new development within our utility service area the Utility Department may make temporary concessions to our approved fees or terms with an approved agreement. Any developer or business utility agreement that deviates from the approved Town ordinance fees or terms must be submitted in the form of a written contract and approved by the Town Council prior to execution of the contract by the Town.

Sec. 8.32 Tap Fees

Tap fees are to be calculated based on Single Family Equivalence (SFE) flow of 400 gallons per day per SFE. Any construction requiring a tap capacity greater than 1 SFE shall pay a tap fee equal to the proposed use flow gallons per day divided by 400, times the appropriate single-family equivalence tap fee. For the purpose of tap fee calculation projected flow will be based on either auditable historical flow data of similar construction and use, SCDHEC Guidelines for Unit Contributory Loadings to Wastewater Treatment Facilities or standard engineering plumbing fixture flow calculations. If calculations between the three methods differ, final determination of which calculation method to be used will be at the discretion of the Town Utility Manager. Tap assessment may be appealed to Town Council.

Any tap greater than 1 SFE will be installed by a licensed contractor under the supervision of the Swansea Water Department personnel at the customer's sole expense to include all materials and labor. These materials will include a Town approved water meter and back flow preventer if required.

| | In Town | Out of Town |
|--------------------------|------------|-------------|
| Water meters: ¾' (1-SFE) | \$1,200.00 | \$2,055.00 |
| Sewer taps: 4" (1-SFE) | \$3,172.50 | \$3,568.75 |

If a water or sewer utility service tap has not had an active account for 5 consecutive years then that tap will be considered abandoned and that capacity will be designated as available for resale by the Town. Prior to the Town invoking this condition a certified letter must be sent to the Lexington County recorded landowner notifying them of this pending action and allowing them 90 days to activate an account for the unused tap. The account must be active for a minimum of 1 month to

maintain tap availability. If the account is not activated after the certified notification and the 90-day waiting period a new connection fees at the current approved rate will be required to receive water or sewer service for that address.

(RS-1-13)