

RULES & REGULATIONS FOR PAMLICO COUNTY WATER DEPARTMENT

ARTICLE I - SERVICE CLASSES

- A. All services are classified under one of two categories:
1. Residential – to include all ¾ inch and 1 inch sized meters
 2. Commercial – to include all meters greater than 1 inch in size.
- B. Water service provided for a specific lot will be used on that lot only. Multiple users from a single ¾” meter are prohibited whether it involves the same or different classes of service. For purposes of this article, user is defined as lot owner. (WATER SERVICE MAY BE TERMINATED UPON DISCOVERY.)

ARTICLE II – RATE SCHEDULE/TAP-ON FEES

- A. Rate Schedule
1. All customers will be billed a fixed facility fee and usage fee per the approved fee schedule. Said fee schedule is attached hereto as Appendix “A” and is incorporated herein by reference.
 2. Trailer courts/parks and other multi-dwelling users served through on meter will be billed based on the size of the meter at the published rate schedule.
 - a) Trailer courts/parks and multi-dwelling water service will require the following meter services:
 - (1) 1 trailer/ dwelling – ¾” meter service
 - (2) 2-5 trailers/dwellings – 1” meter service
 - (3) 6-20 trailers/dwellings – 2” meter service – All services for more than 20 dwellings will be designed on a per customer basis.

NOTE: Trailer courts/parks will be defined as a tract of land on which spaces are rented or leased for the purpose of maintaining a trailer, mobile home, or modular home for overnight accommodations of one or more people.

3. Cost of Service installations will be paid by owner of the property before installation of the water meter. A request for new tap should be made at least four (4) weeks to six (6) weeks in advance of desired service date.

B. Tap-on Fees

1. Tap-on Fees will be charged for providing water service to any location – Residential or Commercial. All tap-on fees will be paid **prior** to installation and will be charged at the rate currently in effect at the time of application. Tap on fee rates are approved annually by the Board of County Commissioners of Pamlico County. Said fee schedule is attached hereto as Appendix “A” and is incorporated herein by reference.

C. Assessment Fees

1. In addition to the above fees required by the Water Department, any and all assessment fees imposed must be paid prior to service installation.

ARTICLE III – APPLICATION FOR SERVICE

A. Application for Water Service

1. Service will be supplied only to those consumers who have completed the written application form and paid the required fees and/or deposits. At the time of application submission, all deposits and account activation fees will be required. The consumer is asked to provide a Social Security Number, as well as adequate proof of identification (valid driver’s license or other official picture ID),

2. The Water Department Office Supervisor will review and consider the following factors in approving an application for service:

- a) *Applicants record of paying utilities at previous residences*
- b) *Applicants right to establish water service at the applied location*
- c) *Availability of service at the requested location.*

3. Based on review of the application, the following information may be requested:

- a) *The consumer may be asked to appear in person to sign the application form or to send a notarized application form directly to the Water Department Business Office.*
- b) **Proof** *of right to establish water service on the property. Such proof can be provided by deed (for owners) or lease (for renters or tenants).*

4. Service will be cut-on prior to 5:00 pm, if possible, on the date of application. If not, service may be provided on the next **working** day, unless the consumer pays the after hour’s fee per the approved fee schedule. After hours fees apply to applications received after 4:00 pm. No new or re-activated service will be supplied on weekends.

5. The Water Department may reject any application for service not available under a standard rate or which involves excessive service cost, or which may affect the supply of service to other customers or for other good and sufficient reasons, in which case the account activation fee will be refunded

6. For violation of any of the provisions of these Rules & Regulations, the Water Department may discontinue service. The Water Department must mail written notice to the address on record for the consumer of the violation and provide fifteen (15) days for correction of said violation. If water service is discontinued, all delinquent service bills and any applicable fees must be paid in full to service re-installation.

ARTICLE IV – DEPOSITS

A. Applicants are required to make a minimum deposit as set by the Pamlico County Board of Commissioners. Said fee schedule is attached hereto as Appendix “A” and is incorporated herein by reference. At the discretion of the Water Department Office Manager, ownership will be determined by presentation of deed at the time of application.

B. A separate deposit will be made for each individual account.

C. Deposits will not draw interest and will be credited to the account upon presentation to the Water Department of a registered deed showing the renter or tenant is now the legal owner of said property.

D. Once service is discontinued, any deposit will be applied toward the final billing for each account. Any amount remaining will be refunded to the consumer at the address on record at the time of final billing. Refunds will be issued from the Pamlico County Finance Office, approximately two (2) weeks after the end of the month in which the water account is closed and service is discontinued.

E. If a property owner elects to have the tenant be responsible for water service only during the rental period, and then elects to be responsible during any periods of vacancy, the property owner must agree, in writing, with the Water Department to such an arrangement. The property owner’s account will immediately be reactivated and an account activation fee will be charged per the approved fee schedule upon notification from the tenant that water service is to be terminated. Property owners should contact the Water Department after a renter has moved out to be certain renter closed account. This will only apply to rental property.

ARTICLE V – TEMPORARY WATER SERVICE

- A. Effective April 1, 2019, floating meters will not be assigned.
- B. Use of a fire hydrant by unauthorized personnel is strictly prohibited. Use of a fire hydrant for temporary water service may be permitted under the following conditions:
1. Interested party must complete an Application for Use of Public Fire Hydrant for Temporary Water Service Permit with Hydrant Meter and pay the required fees and deposits per the approved rate schedule.
 2. Applicant must agree to the following provisions:
 - a) In no cases will hydrant hoses be allowed to traverse areas exposed to vehicular traffic.
 - b) If a hydrant and/or shut-off valve and/or backflow prevention device is damaged, it is the Applicant/Customer's responsibility to contact the Pamlico County Water Department.
 - c) The Applicant/Customer will be responsible for any property damage at or near the hydrant, due to using any hydrant device.
 - d) The Applicant/Customer agrees to assume liability for personal/personnel safety when operating and/or using hydrant device attached to a public fire hydrant.
 - e) Pamlico County Water Department reserves the right to inspect and test hydrant devices at its discretion.
 - f) Pamlico County Water Department reserves the right to limit specific hydrants.
 - g) The device cannot be altered or disassembled. If altered or disassembled, the Applicant/Customer will be charged for time and damages at the prevailing rate.
 - h) Failure to comply with the provisions of this application (and/or if the permit is used by a different person or Applicant/Customer other than the name for which it is issued and if there has been any false statements or misrepresentations as to the condition or activity listed on the permit) will result in revocation or suspension of the permit.
 3. There are a limited number of hydrant meter assemblies available for rental: therefore, hydrant meter assemblies are available on a first come first serve basis. Temporary hydrant meters are not allowed to be used as a permanent source of water to any business, customer, or facility.
 4. It is understood that the Applicant/Customer assumes responsibility for the hydrant and the hydrant meter assembly (backflow assembly, meter and all appurtenances) during the

rental period. The Applicant/Customer agrees to be financially liable for any and all damages to either the meter assembly or the fire hydrant, including damages that occur due to freezing, vandalism, theft or operation of the fire hydrant that occur during the rental period. All cost associated with theft or damage to a hydrant or hydrant meter assembly that occur during the rental period will be billed to the Applicant/Customer. The Applicant/Customer will not be allowed to rent a hydrant meter assembly until all damages, repair cost and/or replacement parts have been paid for in full.

5. Violations of the Pamlico County Water Department Rules and Regulations and/or this temporary hydrant meter rental agreement may result in the removal of the meter and no money will be refunded.

ARTICLE VI – MISCELLANEOUS

A. The initial and/or minimum charge for each water account is established by the current rate schedule, and will be charged for each water account, even when there is no recorded usage of water.

B. To accommodate seasonal occupants or for other reasons, at the request of consumers, water department staff, will at no charge turn the water valve off at the meter. The account will remain active and be billed monthly according to the approved fee schedule.

C. For rental property, the property owner will be responsible for the tap-on fee as outlined by the current rate schedule. Property Owners may elect to remain the responsible party for water accounts where renters or tenants reside. However, the Water Department will bill the property owner and pursue the property owner for any delinquent accounts. Should property owner have one or more active accounts with the Water Department, service may be terminated to all meters should an account become delinquent.

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ARTICLE VII – COUNTY RESPONSIBILITY AND LIABILITY

- A. The County will run a service line from the distribution line to the consumer's property line. The meter will be located at the public right of way on which a water main exists.
- B. The County may install a meter at the property line or, at the County's option, on the consumer's property, or on a location mutually agreed upon.
- C. When two (2) or more meters are installed on the same premises for different consumers, the meters will be grouped closely, but each will be designated as to which consumer is serviced by the meter. Property easements will be required to be notarized and recorded with the Register of Deeds for each meter placed on the property owned by another party.
- D. Under no conditions will cross-connections with County System be permitted. All connections must be compliant with the Pamlico County Water Department Cross Connection Policy found in Appendix "B" of this document and incorporated herein by reference.
- E. The County will not be liable for damage of any kind whatsoever resulting from water or the use of water on the consumer's premises, unless such damage results directly from negligence on the part of the County. The County will not be responsible for any damage done by or resulting from any defect in piping, fixtures, or appliance on the consumer's premises. The County will not be responsible for negligence of third party persons or forces beyond the control to the County resulting in an interruption of service.

ARTICLE VIII-ADJUSTMENTS

- A. A customer with a high water bill due to a leak or busted pipe may request that the Water Department make an adjustment to the account in question.
- B. The customer shall make application for adjustment. The customer shall provide all requested information to the best of his or her knowledge.
- C. To be eligible for an adjustment:
 - 1. The customer must make application for adjustment no later than the end of the month immediately following the due date of the bill reflecting the leak or busted pipe (no swimming pool or irrigation adjustments are given). This provision is effective for any leak adjustment applications submitted on or before July 1, 2018.
 - 2. The customer has not been granted a leak adjustment for a different leak on the same account within the last twelve (12) months.
 - 3. The water bill to be adjusted is at least double the average bill for the proceeding twelve (12) month period. For leak adjustments where the consumer has less than twelve (12) months usage, the estimated normal usage will be figured using the current American Water Works Association number of gallons of water used per day per person of 88 gallons multiplied by the number of people in the household (number to be reviewed annually).

4. All needed repairs or actions to prevent any further loss of water have been made.
- D. The bill will be adjusted to the average bill for the preceding twelve-month period. For example, a customer whose average bill is \$30 a month with a leak causing their bill to increase to \$100 would see \$70 of the leaked amount adjusted off of the bill. Therefore, the water bill after the adjustment would be $\$100 - \$70 = \$30.00$.
 - E. If it is determined that the leak occurred during a period which overlaps two consecutive billing periods, both bills may be adjusted provided both bills qualify for adjustment. No more than two bills may be adjusted for each request.
 - F. The office supervisor shall review the application to determine the eligibility of the request.
 - G. If the office supervisor denies a customer a leak adjustment, the customer may request a hearing with the County Manager to appeal the decision. The County Manager will determine if the Office Supervisor followed policy when making a decision. If the County Manager determines that the Office Supervisor did not follow policy, it may reverse the decision. At the request of the customer, any request made by the customer outside of policy may be forwarded to the Water Committee for consideration. The Water Committee will render a decision on the request and forward the results of the decision to the full Board of Commissioners for review. Any member of the Board of County Commissioners may request the Water Committee to reconsider the issue or bring the issue before the Board of Commissioners.

Catastrophic Water Leak Adjustment

If during the twelve (12)-month period for which the customer is no longer eligible for a 100% leak adjustment experiences another leak that is considered catastrophic, the customer may be eligible for additional relief.

- A. A catastrophic leak is defined as water loss due to a busted line or leak resulting in a bill which is at least five (5) times the average bill for the preceding twelve (12) months (excluding the previous leak usage).
- B. The customer must make application for adjustment no later than the end of the month immediately following the due date of the bill reflecting the leak or busted pipe.
- C. All needed repairs or actions to prevent any further loss of water must have been made.
- D. The bill will be adjusted to five (5) times the average bill for the preceding twelve (12)-month period (excluding the previous leak usage).
- E. If it is determined that the leak occurred during a period which overlaps two (2) consecutive billing periods, both bills may be adjusted provided both bills qualify for adjustment. No more than two (2) bills may be adjusted for each catastrophic leak request.
- F. The customer is eligible for one (1) catastrophic leak adjustment during the twelve (12)-month period after the initial adjustment.
- G. The customer may request a payment plan not to exceed five (5) months.
- H. This provision is effective for any catastrophic leak adjustment applications submitted on or after July 1, 2020.

ARTICLE IX – CONSUMER’S RESPONSIBILITY

- A. Piping of the consumer’s premises must be conveniently located with respect to the County’s lines or mains.
- B. If the consumer’s piping is so arranged that the County must provide additional meters, each metering will be considered a separate and individual account.
- C. A suitable place will be provided by the consumer for placing a meter to ensure unobstructed access for the meter reader or service personnel at all times. If a meter is obstructed, the customer will be sent a written request to remove the obstruction within 15 days. Should the consumer fail to remove the obstruction, the obstruction may be removed at the owner’s expense or the service will be terminated.
- D. The consumer’s piping and apparatus will be installed and maintained at his/her expense in a safe and efficient manner in accordance with the County’s rules and full compliance with the sanitary regulations of the State Board of Health.
- E. The consumer will furnish and maintain a private cut-off on his/her side of the meter, and the County will provide a cut-off valve on its side thereof.
- F. In the event that any loss or damage to the property of the County or any accident or injury to persons or property is caused by or results from negligence or wrongful act of the consumer, his/her agents, or employees, the cost of the necessary repairs or replacements will be paid by the consumer to the County; and any liability otherwise resulting will be assumed by the consumer. The cost will include parts and materials along with a service fee as stated in the approved rate schedule.
- G. The consumer shall guarantee proper protection for the property of the County located on the consumer’s premises and permit access by authorized representatives of the County.

ARTICLE X – ACCESS TO PREMISES

- A. Duly authorized agents of the County will have access at all reasonable hours to the consumer premises for the purpose of installing or removing county property, inspecting piping, reading or testing meters, or for any other purpose in connection with County service and facilities.
- B. Each consumer will grant or convey, or cause to be granted or conveyed, to the County, a perpetual easement and right-of-way across any property owned or controlled by the consumer whenever the same is necessary to accommodate the necessary county water facilities and lines.

ARTICLE XI – CHANGE OF OCCUPANCY

- A. A request for discontinuance or transfer of service should be made at least three (3) days before the desired effective date.
- B. The outgoing party will be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longest. The new tenant or owner will be charged an account activation fee, plus any required deposits and/or fees, prior to extension of service.

ARTICLE XII – EXTENSIONS TO MAINS AND SERVICES

- A. The County may extend its water lines to points within the service area if the consumer makes application for service and advances to the County the entire cost of installation.
- B. A written contract will be entered into between the applicant and the County. Such contracts will be approved by the Board of Commissioners.
- C. All water line extensions will be constructed in accordance with the manual “Requirements For The Design and Construction of Water System Extensions for Pamlico County,” as approved by the Board of Commissioners on March 13, 1989, as amended.
- D. The following terms and conditions shall apply when a water line must be extended to serve a New Subdivision.
 - 1. The developer must submit water line plans and specifications to the Pamlico County Manager in advance for review and approval by the County. These plans must meet the North Carolina Administration Code - Rules Governing Public Water Systems, and also must meet Pamlico County’s (“County”) then-current requirements. Such plans and specifications shall then be submitted to NCDENR-Public Water Supply (“DENR”) in the name of Pamlico County upon payment of all required fees.
 - 2. The developer shall be charged any applicable fees as set forth in the approved fee schedule.
 - 3. Once an Authorization to Construct has been issued by the DENR pursuant to 15A NCAC 18C Section .0300 (as may be amended), the developer shall install the water lines in accordance with the approved plans and specifications.
 - 4. All work shall be subject to the inspection and approval of the County and its engineer. The developer shall reimburse the County for any cost that may be incurred by the County during inspection, including but not limited to engineering and inspection fees.
 - 5. Upon the issuance of the Final Approval from DENR of the construction of all water lines and improvement related thereto pursuant to 15A NCAC 18C Section .0300 (as may be amended), and issuance of an Operations Permit (if applicable), the developer shall:

- a. Request in writing that the extension be dedicated to Pamlico County;
 - b. Convey title to the completed facility and water lines and appurtenances thereto, including all permits, franchises and authorizations, to the County;
 - c. Provide an easement for all necessary right-of-ways, authorizations, and other needed instruments for the operation and maintenance of the facility, together with an opinion on title from an attorney licensed to practice law in the State of North Carolina, evidencing that the developer has the right to execute such instruments and that they are valid and binding;
 - d. Reimburse the County for any legal and engineering costs that it may have incurred;
 - e. Provide as-built plans and details as required by the County; and
 - f. Execute any and all other documents reasonably requested by the County.
6. After the County accepts the completed extension, the developer shall provide full warranty on the extension for a period of one (1) year, starting on the day of acceptance by the County.
7. The County shall not be required to provide water to the New Subdivision until the completed extension is accepted by the County in accordance with the requirements of this Policy.
- E. New Subdivisions Not Requiring Water Line Extensions
1. The developer shall be charged applicable fees as established by the Board of Commissioners
- F. Existing Subdivision Lots and Other Parcels of Land
1. The following terms and conditions shall apply to all subdivision lots, and other tracts and parcels of land, existing as of the effective date of this Policy; and to all other newly created lots or tracts of land created after the effective date of this Policy which are exempt from the Pamlico County Subdivision Ordinance.
- a) Upon an application for new water service, the applicant shall be required to pay any applicable fees as required by the approved fee schedule.
- G. The County policy for extending water distribution lines at the expense of County will be as follows:
1. The extension of a water main along a public or private road qualifies to be considered feasible if the cost thereof does not exceed \$4,000 per user. For purposed of this section,

“User” will mean owner of property with an occupied dwelling or building under construction with valid building permit who has demonstrated, in writing, their willingness to receive service and who has paid the required fees and/or deposits. Extensions must be approved by the Board of Commissioners on a case by case basis.

2. “User” as the term is used in Section 1, may mean a lot in a residential subdivision, the developer of which seeks to be served by the extension if:

- a) The developer, prior to letting of the contract by the County for the extension, obligates in writing to reimburse the County for all costs of the extensions immediately upon completion, and
- b) Secures his/her obligation by depositing the estimated cost of the project in escrow at no interest with the Finance Officer at the Pamlico County Finance office, and
- c) Immediately upon completion of the project, the developer reimburses the County for all costs of the project.

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3. Public roads for purpose of these regulations are roads which are maintained by the Department of Transportation.
4. Upon completion of the new extension on private road, the property owner will convey title to the completed facility, including all right-of-ways, easements, permits, franchises, and authorizations to the County without consideration or remuneration by deed, bill of sale, or other appropriate instruments.

ARTICLE XIII – BILLING AND COLLECTION

- A. Water meters will be read every month by the contracted meter reader, unless extenuating circumstances, such as hurricane, snow storm, etc., prohibit the Water Department from securing the readings. In the event actual readings are unavailable, an average of the previous six months readings will be used for billing purposes.
- B. **Meter readings that are determined to be in excess of consumer’s normal average usage will be re-read by the Water Department personnel. Prior to receiving billing for high usage, the Water Department will attempt to contact the consumer by telephone or mail whenever possible.**
- C. Bills for water will be figured in accordance with the published rate schedule currently in effect, and will be based on the amount consumed for the period covered by the meter reading, except where a consumer requests termination of water service less than one month after previous reading. In such case, the bill will be at least the minimum fixed rate.
- D. Charge for services commences when the meter is installed.
- E. Readings from different meters will not be combined for billing, irrespective of the fact said meters may be for the same or different premises, or for the same or different consumers, or for the same or different services.
- F. **All bills are due the last day of the current month. If a bill is not paid by the 15th day of the month after the due date, the water service associated with the past due bill is subject to being discontinued.**
- G. Any consumer may be granted an extension for payment to the end of the month following the due date on the bill. In order to be granted an extension, the consumer must agree to pay the past due and current bill for each account for which an extension is granted. No extension will be granted if a service is discontinued for nonpayment.
- H. Extensions shall be granted only three (3) times per calendar year and must be paid, in full, before another extension will be granted. An extension may only be authorized by the Utilities Office Supervisor.
- I. Failure of a consumer to receive a bill does not constitute a defense to a delinquent charge.

J. A consumer may arrange to pay the monthly water billing by bank draft, subject to the following rules:

1. The consumer shall deliver to the Water Department instruments in writing, satisfactory to the drawee bank, authorizing drafts from the account.
2. The Water Department will draft the consumer's account on or after the 25th day of the month.
3. If a draft should be returned by the bank, for any reason there will be added to the consumer's account the same penalty and conditions as charged by the County for a returned check.

K. With approval of the Water Committee, the County Manager can authorize payment arrangements on a case by case basis.

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ARTICLE XIV – SUSPENSION OF SERVICE

A. Water service terminated for non-payment will be restored only after the account balance is paid in full and all fee(s) are paid for each meter reconnected. A reconnect fee will be added for each water and sewer service upon termination of service for non-payment. Service will only be restored during regular working hours. If reconnect is requested after **4:00 pm**, an additional after hours fee will apply as specified in the approved fee schedule and must be paid prior to service being restored. To ensure the safety of our servicemen, there will be no service reconnections after 9 pm. **If an account is cutoff for non-payment, and payment is not received within 5 days, the account may be closed, deposits credited to account, and a final bill will be sent.**

B. The Water Department reserves the right to discontinue service, without notice, for any of the following reasons:

1. To prevent fraud or abuse
2. Consumer willful disregard of the County rules and regulations
3. Discovery of multiple users on a ¾” meter
4. Emergency repairs
5. Insufficient supply of water due to circumstances beyond the control of the Water Department
6. Legal processes
7. Direction of public authorities
8. Strike, riot, fire, flood, accident, or other unavoidable cause
9. Discovery of a cross-connection

C. The Water Department may, in addition to exercising any and all other remedies provided by law, permanently refuse service to any person, firm, or corporation who has violated the provisions of Subchapter VI, Criminal Trespass, Article 22, Section 14-151.1 of the General Statutes of North Carolina. In accordance with section (d) of this statute, anyone who tampers with, alters, or bypasses a water meter will be fined triple the amount of losses and damages sustained or five hundred dollars (\$500.00), whichever is greater.

1. 14-151.1 Interfering with electric, gas or water meters; prima facie evidence of intent to alter, tamper with or bypass electric, gas or water meters: unlawful reconnection of electricity, gas, or water; civil liability.

2. TAMPERING, for this purpose, is defined as “any interference with any water meter or water line with the willful intent to access water without payment”

D. Each water service account will be treated as a separate entity for purposes of termination for non-payment, regardless of the name in which the account is registered. However, if the consumer moves and does not pay the final bill for a location, the service will be terminated at any new or existing location for which this consumer is responsible. (NOTE: For consumers with one or more accounts, all water service may be terminated should any account become delinquent.)

E. Water service accounts are subject to immediate termination if a check (or bank draft) accepted for payment is returned unpaid by the consumer’s bank. A returned check fee, as authorized by GS 25-3.512 will be added to the water service account and a letter mailed notifying the consumer of this action, allowing ten (10) calendar days for repayment with cash or certified funds. After three (3) returned checks (or bank drafts) within a 36 month period, the Water Department will accept only certified checks, money orders, or cash for payment.

F. Water service can be terminated or discontinued by either consumer request or by the Water Department. Once service is terminated, the water meter will be locked and service will only be restored when an application is completed and the proper fees and/or deposits are paid.

ARTICLE XV – COMPLAINTS AND ADJUSTMENTS

A. If the consumer believes the water service billing to be in error, the claim must be presented, in person, at the Water Department prior to the bill becoming delinquent. The claim, if made after the billing becomes delinquent, will not be effective in preventing termination of service. The consumer may pay such bill under protest and said payment will not prejudice his claim.

B. The Water Department will make special meter readings at the request of the consumer for a fee as defined in the approved rate schedule, unless such reading discloses the meter has been read incorrectly, in which case there will be no charge.

C. Pamlico County is an equal opportunity provider and as such no person on the basis of race, color, national origin, sex, religion, age, or disability is to be excluded from participation in, admission or access to, denied the benefits of, or otherwise be subjected to discrimination under any of this Department’s programs or activities. The person responsible for coordinating this Department’s nondiscrimination compliance efforts is the County Manager. Any individual or specific class of individuals, who feels that this Department has subjected them to discrimination, may file a written complaint to Pamlico County Manager, P.O. Box 776, Bayboro, NC 28515.