

CHAPTER 11

WATER SUPPLY

The provisions of this chapter shall be known as the WATER ORDINANCE OF HURT, VIRGINIA, and may be so cited.

The object of this Ordinance shall be to regulate the use of the water supply to the end that a safe, continuous and abundant supply of water is provided to the citizens of the Town of Hurt.

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Article I - Water System Established

Sec. 11-1. Establishment of Hurt Community Water System; control by Town Council; Management of Water System.

A. There is hereby established the Hurt Community Water System to be operated under the supervision of the Hurt Town Council and its designated agents, the function of which shall be to manage and operate a system of public water supply for the benefit of the citizens of the Town. To this end Council and its agents shall promulgate reasonable rules and regulations and see that the same are carried out to the end that the health and welfare of the people of Hurt are adequately protected. There is hereby established a permanent standing committee of the Town Council which shall be composed of three members, who shall be members of the Town Council which Committee shall be known as the Water Committee. Said Committee shall be appointed in the same manner and have the same powers and duties as any other Standing Committee under Chapter 1, Article II, Part 2.

B. It shall be the duty of the Council to see that the pumping plants, machinery and the various parts of the Hurt Community Water System are maintained in good order and to have charge of all materials, tools and supplies as well as the control of all the personnel engaged in the operation of the same. The Council, or its designated agent, shall also keep a careful record of all connections made to the system and shall prepare and keep available a map showing the location of mains and laterals and all connections thereon. Council shall see that all meters are read regularly and that all users are billed for water and turned over to the Town Clerk, or other designated agent, for collection.

C. *Management and Maintenance of Water System.* The Council shall hire, or contract with, parties deemed necessary for the management and maintenance of the water system said parties to be under the supervision of the Council.

Sec. 11-2. Rules and regulations.

A. The Council shall promulgate reasonable rules and regulations for the installation, maintenance, and operation of the Hurt Community Water System and shall see that the same are adequately enforced.

B. The Council shall establish a grievance procedure for citizens who may have complaints regarding the system or the operation thereof. The Water Committee shall hear and decide said grievances and its decision shall be appealable to the full Town Council.

Sec. 11-3. Conducted as separate enterprise.

The Hurt Community Water System shall be conducted as a separate enterprise

for accounting purposes but shall be backed by the full faith and credit of the town and operated under the control of the Town Council. Wherever the term "Town" is used in connection with the operation of the water system it shall be synonymous with "Hurt Community Water System".

Sec. 11-4. Billing and collecting for charges.

The Town Clerk, or other designated agent, shall bill for and collect on behalf of the Hurt Community Water System the charges due from domestic, commercial and industrial users of water.

Sec. 11-5. Budget.

A separate budget of the Hurt Community Water System shall be prepared annually by the Council, or its designated agent, at the same time as the town budget, which shall include estimates of receipts and expenditures for the ensuing fiscal year.

Sec. 11-6. Accounting and financial statements.

The Council, by its designated agent, shall keep a separate account in accordance with the accepted principles of accounting. Expenditures shall be authorized and made in accordance with the budget. Within ninety (90) days after the close of the fiscal year, the financial statements for the Hurt Community Water System for the fiscal year just ended shall be submitted to the Council. For the purpose of this chapter, all indebtedness of the Town, incurred on account of the Hurt Community Water System shall be regarded as the indebtedness of the System.

Article II - Mandatory Connection, Application

Contract, Connection fee, Rates; Collection

Sec. 11-7. Inhabited Premises Within Town to Be Connected to Water System; Time for Connection.

A. *Mandatory Connection.*

1. The owner of an improved piece of property within the town, bordering upon a street or alley along which a Town water line has been laid, or which may hereafter be laid, by the Town or others, shall cause the same to be connected with such Town water line. The foregoing requirement shall not apply to any such improved piece of property the primary dwelling upon which is situated 300 or more feet from such street or alley.

Replacement Page. (Sec. 11-7 amended 1/8/02).

2. The owner of an improved piece of property within the Town the principal dwelling upon which is situated within 300 feet of a street or alley upon which a town water line has been laid, or which may hereafter be laid, shall cause the same to be connected to the Town water line.

Exception: Any improved parcel which was legally subdivided so as to avoid the application of Subparagraph 1. above prior to January 2, 1990 shall not be subject to the mandatory connection provision of this Subparagraph 2.

B. *All Other Sources Prohibited.* It shall be unlawful to use private wells or similar methods for domestic use where Town water lines are available for connection is required thereto by this ordinance; provided, however, that owners or tenants of residences connected to Town water lines may use alternative water sources for residential heating and cooling purposes and for maintaining residential and related personal property normally kept outdoors, provided there is no interconnection of such alternative sources with the Town lines.

C. *Time for Connection.* Connections shall be at the expense of the owner and shall be made within thirty (30) days from the time that Town lines are actually available for rendering service. The Town Council shall cause a written notice to be mailed or delivered to the owner of any premises to which water service is to be made available. The notice shall state when the connection is to be made. If the owner of any such premises be unknown or absent, delivery of such notice to the tenant or other occupant of the premises shall be deemed sufficient notice to the owner hereunder.

D. The fee for such connection shall be as set forth in Section 11-9 and shall be due from the date connection is required pursuant to this section.

Sec. 11-8. Applications for connection and for water service; deposit; miscellaneous provisions.

A. Whenever a service connection with the Town's water line is required or requested, the owner of the property to be connected with such water shall be required to execute an application prepared for this purpose before such service connection is made. Said application shall set forth the location and character of the property to be served, the name and address of the owner of the property and the name and address of the party who will pay the water charges if it is not to be the owner.

B. Whenever water service is requested the applicant shall be required to execute an application for such service before the service will be turned on. Said application shall state the applicant's name, the name of the owner of the property, the address of the property, the address to which bills should be sent if different from the property address, and a statement that applicant will pay the water charges. Applicant

Replacement Page. (Sec. 11-7 amended 1/8/02. Sec. 11-8 amended 5/14/02 and 6/2/15).

shall be responsible for water charges under Section 11-10 from the date said application is filed by applicant and applicant shall continue to be responsible for the said charges until either applicant vacates the premises or another party agrees to be responsible for said charges. Said water charges shall commence on the date when applicant begins occupying the premises.

C. In the case of rental property, if the tenant is to be responsible for the water charges and not the owner, there will be charged a deposit to secure payment of the water bill as shown on the Town of Hurt Master List of Fees and Charges, hereinafter the "Master List" which Master List is incorporated herein by reference and made a part hereof and shall be enforceable as if set out herein. If the tenant is to be responsible for the water charges and not the owner the tenant shall execute an application pursuant to this section and pay the deposit before service is turned on. The deposit shall be refunded upon vacation of the premises by the tenant after deducting therefrom any outstanding charges. There shall be no interest paid on such deposit.

D. If the same service supplies more than one premise, or if one premise is occupied by more than one tenant, the charges for water rendered to such premise shall be contracted for and paid for by the owner unless otherwise agreed.

E. Whenever a service connection and/or service is requested for building purposes or for other temporary reasons, the applicant will be responsible for all service fees and the protection of the Town's service facilities. The applicant will pay in accordance with the bills rendered by the Town for any respective damages and/or adjustment charges.

F. The owner of unimproved property who elects to pay the connection fee as set forth in Section 11-9 shall be required to pay the minimum fees as set forth in Section 11-10, as long as the property remains unimproved.

Sec. 11-9. Connection Fee.

A. Each owner of premises required to be connected to the Town's water system shall pay a fee for such connection as shown on the Town of Hurt Master List of Fees and Charges, hereinafter the "Master List" which Master List is incorporated herein by reference and made a part hereof and shall be enforceable as if set out herein.

B. *Water connection fees outside Corporate Limits.* All water connection fees for connections described in Subparagraph A. above located outside the Corporate Limits shall be double the amount stated in said Subparagraph A.

The said connection fee shall be paid in full before connection is effected and the connection fee shall be due and payable from the date connection is required pursuant to Section 11-7 C.

Replacement Page. (Sec. 11-8 amended 5/14/02 and 6/2/15. Sec. 11-8 C. amended effective 12/3/19. Sec. 11-9 amended 12/2/97, 6/___/2006 and 4/3/12. Sec. 11-9 A. amended effective 12/3/19).

Sec. 11-10. Charges for Water.

A. Each owner, tenant or other occupant of premises required to be connected to the Town's water system shall pay water charges as shown on the Town of Hurt Master List of Fees and Charges, hereinafter the "Master List" which Master List is incorporated herein by reference and made a part hereof and shall be enforceable as if set out herein.

B. *Water rates outside Corporate Limits.* With the exception of water sales by contract with the Pittsylvania County Service Authority, the rates for water service as described in Subparagraph A. above furnished outside the Corporate Limits shall be double the rates for in-town customers.

C. In the absence of the filing of an application under Section 11-8 B. water charges, specifically including the quarterly minimum set forth in the Master List, shall be payable by the owner, tenant or other occupant of premises bordering on a street along which town water lines have been laid, upon connection to the line or 30 days after the service line is completed to the premises whichever occurs first, and shall be due and payable thereafter. The Town Council shall cause a written notice to be mailed or delivered to the owner, tenant or occupant of any premises to which water service is available or to be available and upon which no application for water service has been filed. Said notice shall state the date upon which the water charges will commence and charges shall be due and payable from said date forward.

D. The owner, tenant or other occupant of the property shall pay in accordance with the service charges set forth in the Master List and with such charges as are hereafter established by the Town and set forth in the Master List as bills are rendered therefor and shall be bound by all the rules, regulations and ordinances now or hereafter adopted governing the supply of public water.

Sec. 11-11. When water charges due and payable; delinquency; deposit to assure payment.

A. All bills for charges prescribed in this Chapter shall be due and payable within thirty (30) days from the due date stated on the bill. If such bill is not paid within such period, the customer shall be deemed in default and the Town's duly appointed agent is hereby vested with authority to discontinue service to anyone in default after said date without further notice and to determine town policy as to such discontinuance of service. Discontinuance of such service shall not abate the minimum quarterly charge set forth in Section 11-10.

Replacement Page. (Sec. 11-10 amended 12/2/97, 3/15/13, effective 7/1/13 and 6/2/15. Sec. 11-10 amended effective 12/3/19. Sec. 11-11 amended 3/6/06, 11/1/11 and 6/2/15)

A.1. There shall be a penalty of 10% of the amount due added to any water bill which is not paid within 30 days after the due date stated on the bill.

B. Failure to receive a bill for charges prescribed by this article shall not prevent the discontinuance of service in accordance with the provisions of this section.

C. When water service is discontinued pursuant to this section, water shall not again be turned on until all arrearages and charges have been paid, including a charge of Fifty dollars (\$50.00) for turning the water on, if the premises are occupied by the same customer who incurred the bill; provided, that any customer delinquent or in arrears shall settle all past indebtedness, including all accrued minimum quarterly charges, before again being served Town water. In cases where the customer has turned on the water without authorization resulting in the meter being removed by the Town, then the fee to reinstall the meter and turn on the water will be \$75.00.

D. In addition to the provisions of Section C above, after any customer has become delinquent in his bill, the Town may require a deposit in an amount based on two times an estimated quarterly bill in order to continue service.

E. After deduction of any outstanding charges, deposits made pursuant to this section shall be refunded, upon vacation of the premises by the customer.

F. No interest will be paid on deposits made pursuant to this section.

Replacement Page. (Sec. 11-11 amended 3/6/06, 11/1/11 and 6/2/15)

Article III - Miscellaneous Provisions

Sec. 11-12. Authorized work related to service connections.

No person, except those duly authorized by the Town, shall uncover, tap or make any connection with any Town water lines, and except those obtaining a plumbing permit from the Town for purposes of extending water service to premises.

Sec. 11-13. Relocation of tap and meter.

A. In any case where a customer desires that an existing water tap or meter be moved, the charge to the customer shall be as shown on the Town of Hurt Master List of Fees and Charges, hereinafter the "Master List" which Master List is incorporated herein by reference and made a part hereof and shall be enforceable as if set out herein. A deposit as shown on the Master List shall be paid before any work is done. Should the cost exceed the amount paid as a deposit the customer shall promptly pay the difference to Town. Should the cost be less than the amount paid Town shall refund the difference.

B. No person, except employees or agents of the Town shall move any water meter or meter box from the location in which it is placed by the Town.

Sec. 11-14. Water meter requirements.

A. For each connection with the Town's water lines, there will be required a water meter. The water meters are to be installed by the Town. Only one meter shall be allowed for each premise, and only one such premise can be supplied through one meter unless, in the judgment of the Town, multiple connections are necessary for adequate service.

B. Each individual residential dwelling, commercial building, institutional establishment, and industrial plant shall be served through at least one meter except as herein specified. The following units shall require separate meters: (1) individual trailers not in trailer courts; (2) rental apartments attached to other structures; (3) any businesses attached to residential dwellings; and (4) churches and parsonages. Typical multiple units that may be served by a single meter are: hotels, apartment complexes, motels, and trailer courts. The Town shall consider each service application in regards to metering requirements.

C. The location of meters shall be in front of the premise to be served unless the premise is bordered by Town water lines other than in front of the lot or premises; then the location shall be as to the judgment of the Town.

D. Whenever a building or premise is demolished, torn down or removed, the owner of the building or premise shall request the Town to securely seal the Town's water connections and said owner shall pay the cost therefore as set forth in Section 11-22.

Replacement Page. (Sec. 11-13 amended effective 12/3/19.)

Sec. 11-15. Meters to remain property of Town; repair and replacement of meters.

All water meters installed by the Town or at the request of the Town shall be, at all times, the property of the Town and shall be maintained and repaired, when rendered unserviceable through wear and tear, and renewed by the Town; provided, that where replacement, repairs or adjustments of any meter are rendered necessary by causes other than ordinary wear and tear, the expense caused to the Town thereby shall be paid by and collected from the customer responsible for the meter at the premises.

Sec. 11-16. Connection in or outside meter box where meter removed; changing service pipe from one tap or meter to another.

A. It shall be unlawful for any person to install a straight water connection in or outside of meter boxes where meters have been removed, or to change any service pipe from one tap or meter to another, without first obtaining permission in writing from the Town.

B. It shall be unlawful for any person to use water obtained by methods enumerated in this section and such consumption shall be billed to such unauthorized user by determining the estimated actual consumption and charging therefor at the regular water usage rates set forth in Section 11-10.

Sec. 11-17. Repair of damage to system generally.

Whenever any person shall cause damage to any part of the water distribution system, including, but not limited to, all mains, connectors, laterals, lines, meters and any and all appurtenances attached thereto or thereon, the Town shall be notified immediately of such damage and the Town shall repair same as quickly as is possible. The cost for the repair shall include all actual costs for labor, material and equipment, plus a charge of fifteen (15) percent of actual cost for administrative expense and overhead. Such costs shall be borne by the party causing any damage or responsible therefor. Invoices showing all costs incurred shall be rendered to the party or parties liable therefor and shall be payable upon receipt thereof.

Sec. 11-18. Pressure and continuity of supply; turning off water for purpose of repairs.

A. The Hurt Community Water System will strive to provide but cannot absolutely guarantee a sufficient or uniform pressure or an uninterrupted supply of potable water. Therefore, customers are cautioned to maintain a sufficient water storage where an absolutely uninterrupted supply must be assured, such as for steamboilers, domestic hot water systems, gas engines, etc.

B. In case of breaks in the mains, services, pumping machinery, reservoirs or other waterworks equipment making it necessary to shut off the water, or when it is necessary to shut off the water for the purpose of repairing, extending or cleaning the mains, previous notice will, if practicable, be given, but in no case will any claim for damages due to water being shut off be allowed.

Sec. 11-19. Town not liable for damage caused by defective plumbing, open outlets, bursting of lines, etc.

A. The Town will not be responsible for any damage caused by defective plumbing or open outlets when water is turned on by order of the Town or by request of any property owner, lessee or agent.

B. The Town shall not be liable for any damage resulting from the bursting of any water main, service pipe or cock or fire hydrant, or from the shutting off of water for repairs, extensions or connections, or from the accidental failure of the water supply from any cause whatsoever.

Sec. 11-20. Conservation of water during emergencies.

A. Should the Town Council, at any time, declare there to be an emergency existing in the town arising, either wholly or substantially, out of a shortage of water supply, the Committee, with approval of Town Council, is hereby authorized to order the restriction or prohibition of any or all of the following uses of the water supply:

1. Watering of shrubbery, trees, lawns, grass, plants or other vegetation, except from a watering can or other container not exceeding three (3) gallons in capacity.
2. Washing of automobiles, trucks, trailers or any other type of mobile equipment, except in facilities operating with a water recycling system approved by the Town; provided, further, that any facility operating with an approved water recycling system must prominently display, in public view, a sign stating that such a recycling system is in operation.
3. Washing of sidewalks, streets, driveways, parking areas, service station aprons, exteriors of homes, apartments, commercial or industrial buildings or any other outdoor surface.
4. The operation of any ornamental fountain or other structure making a similar use of water.
5. The filling of swimming or wading pools or the refilling of swimming or wading pools which were drained after the effective date of the order.
6. The use of water from fire hydrants for any purpose other than necessary governmental operations.

7. The serving of drinking water in restaurants, cafeterias or any other establishment, unless requested to do so by the individual being served.

The above restrictions, or any of them, shall become effective upon their being printed in any newspaper of general circulation in the town, or broadcast upon any radio or television station serving the Town.

B. Should the implementation of all of the measures provided for in subsection A. above fail to preserve sufficient supplies of water for the citizens of the town, the Council may in addition, order the imposition of specific allotments of water supply to each customer, both residential and commercial, and to provide for a surcharge of up to twenty dollars (\$20.00) per one thousand (1,000) gallons of water consumed in excess of such allocation.

In the event of implementation of allocations any customer who is unsatisfied with the allocation may appeal to the Council. The Council is hereby empowered to review customer allocations on a case-by-case basis and, if warranted, to make equitable adjustments to such allocations.

C. Any person violating any provision of this section or any order of the Town Council issued pursuant to the authority granted hereunder shall be guilty of a misdemeanor and shall be punished as provided in Section 22-36 A. In addition, the Council, or its designated agent, is hereby authorized to terminate the water service, for the duration of the emergency, to any person convicted of such violation.

Sec. 11-21. Procedure when property with water service is vacated.

A. All owners or their authorized agents, after knowledge that their premises have been vacated, shall promptly notify, in writing, the Town to shut off the supply of water thereto. Upon receipt of such notification, the Town shall effectually shut off the water to such premises and at the same time record the reading of the meter. When the service is so shut off, there shall be a Ten Dollar (\$10.00) charge for restoring such service.

B. Any customer may keep his water service intact during the vacancy of any premises by paying the minimum water usage charges set forth in Section 11-10.

C. Where it is necessary to remove a meter, or where the removal of a meter is requested by the owner of the premises or his authorized agent, the charge for reinstallation of the meter shall be twenty-five dollars (\$25.00) for all meters up to two (2) inches and, for all meters two (2) inches or greater, the charge shall include the cost of labor, materials and equipment, plus fifteen (15) percent for administration.

Sec. 11-22. Disconnection fees.

The owner of any building or premise to be disconnected from the Town's

Replacement Page. (Sec. 11-22 amended effective 12/3/19.)

water line will be charged a fee as shown on the Town of Hurt Master List of Fees and Charges, hereinafter the "Master List" which Master List is incorporated herein by reference and made a part hereof and shall be enforceable as if set out herein. A minimum charge as provided in the Master List for each utility connection will be deposited with the department of public utilities prior to such time work may be required.

Sec. 11-23. Usage charge when meter fails to register.

Whenever a water meter is out of order and fails to register, the customer shall be charged with an average daily consumption as shown by the meter when in good working order and registering correctly.

Sec. 11-24. Testing meter; correcting bill when meter overregisters.

A. Any customer shall have the right to demand that the meter through which water is being furnished be examined and tested by the Town, for the purpose of ascertaining whether or not it is registering correctly the amount of water which is being delivered through it to such customer. When any customer desires to have such meter so examined and tested, he shall make application therefor in writing to the Town and, at the same time, pay a fee as shown on the Town of Hurt Master List of Fees and Charges, hereinafter the "Master List" which Master List is incorporated herein by reference and made a part hereof and shall be enforceable as if set out herein.

B. If, upon such examination and test, the meter is found to register three (3) percent or more water consumption than actually passes through it, the meter shall be corrected and the fee paid pursuant to this section shall be refunded and the water bill shall be correspondingly corrected.

**Article IV - Protection of System;
Prohibited Acts - In General**

PART 1. CROSS-CONNECTIONS AND BACKFLOW PREVENTION

Sec. 11-25. Definitions for Part 1.

A. *Auxiliary Water System* - Any water system on or available to the premises other than the Hurt Community Water System.

B. *Backflow* - The flow of contaminants, pollutants, process fluids, used water, untreated waters, chemicals, gases, non-potable waters into any part of the water system.

C. *Backflow Prevention Device* - Any approved device, method, or type of construction intended to prevent backflow into the water system.

D. *Customer* - The owner or person in control of any premises supplied by or in any manner connected to the water system.

Replacement Page. (Sec. 11-22 amended effective 12/3/19. Sec. 11-24 amended effective 12/3/19.)

E. *Contamination* - Any introduction into pure water of micro-organisms, wastes, wastewater, undesirable chemicals, or gases.

F. *Cross-Connection* - Any connection or structural arrangement, direct or indirect, to the water system whereby backflow can occur.

G. *Health Hazard* - Any condition, device, or practice in the water system or auxiliary water system or their operation that creates, or may create, a danger to the health and well-being of the water customer.

H. *Pure Water or Potable Water* - Water fit for human consumption and use which is sanitary and normally free of minerals, organic substances, and toxic agents in excess of reasonable amounts for domestic usage in the area served and normally adequate in supply for the minimum health requirement of the persons served.

I. *Water System* - The Hurt Community Water System.

Sec. 11-26. Cross-Connections prohibited; Backflow.

A. *Prevention Devices Required.* The water supply from the water system shall be distributed through pipes entirely independent of and disconnected from any other water supply; connections between the piping furnishing the Town's water and any piping connected with any other source of supply are prohibited. It shall be unlawful for any owner of premises served by the water system or any water system customer to permit such connections anywhere on such premises.

B. *Backflow Prevention Devices required.* The Town's water system shall be protected from contamination by backflow into said water system by the use of appropriate backflow prevention devices as required by this ordinance, the regulations promulgated hereunder and by state and county plumbing codes. It shall be unlawful for any owner of premises served by the water system or any water system customer to fail to install and maintain in working order such backflow prevention device as may be required by the regulations promulgated hereunder and/or state and county plumbing codes.

C. *Incorporation of State Regulations.* Section 6.00 *Cross-Connection and Backflow Prevention Control in Waterworks*, Commonwealth of Virginia Waterworks Regulations are hereby adopted by reference and made a part of this ordinance.

D. *Cross-connection and Backflow Prevention Control Program Established.* The Council shall, in conjunction with the Water System Manager establish a Cross-connection and Backflow Prevention Control Program to carry out the provisions and the intent of this ordinance. It shall be unlawful for any owner of premises served by the water system or any water system customer to intentionally violate the regulations cited in Subparagraph C. hereof or to intentionally violate or refuse to perform any request or order of the Council of the Town of Hurt or its agent in the furtherance of such Cross-connection and Backflow Prevention Control Program.

Sec. 11-27. Inspections; Right of Entry of Premises Supplied by Town Water.

A. It shall be the duty of the Town of Hurt to cause inspections to be made of premises served by the water system for cross-connection with the water system and for situations or conditions requiring backflow prevention devices. The frequency of inspections, and reinspections, based on potential health hazards involved, shall be established by the Town of Hurt in the Cross-Connection Control and Backflow Prevention Program and as approved by the Virginia Department of Health.

B. The duly authorized representatives of the Town shall have the right to enter at any reasonable time premises served by a connection to the Hurt Community Water System for the purpose of inspecting the piping system or systems for cross-connections and for compliance with the requirements as to backflow prevention devices. Upon request, the owner of premises served by the water system or any water system customer shall furnish to the inspecting agent such pertinent information as he may have regarding the piping system or systems on such property. It shall be unlawful for any such owner of premises served by the water system or any water system customer to refuse to provide such information, when requested, or to refuse town representative access to the premises, when requested, at a reasonable time.

Sec. 11-28. Water service may be discontinued.

In addition to any other penalties provided herein, the Town may deny or discontinue the water service to a customer if the required backflow prevention device is not installed or if cross-connections are not severed upon demand by the Town. If it is found that a backflow prevention device has been removed or bypassed or if a cross-connection exists on the premises, or if the pressure in the water system is lowered below 10 psi gauge, the Town shall take positive action to insure that the waterworks is adequately protected at all times. Water service to such premises shall not be restored until the deficiencies have been corrected or eliminated in accordance with this ordinance, regulations and state and county plumbing codes.

Sec. 11-29. Protection of potable water supply; labeling of non-potable water.

The potable water made available on the properties served by the water system shall be protected from possible contamination or pollution by enforcement of this ordinance and the Pittsylvania County plumbing code. Any water outlet which could be used for potable or domestic purposes and is not supplied by the potable system must be labeled as "Water Unsafe for Drinking" in a conspicuous manner.

PART 2. GENERAL PROVISIONS; ENFORCEMENT

Sec. 11-30. Protection of water system facilities.

It shall be unlawful for any person in any manner to damage or obstruct any part of the water system including any pipes, pumping station, apparatus, tools or fixtures. No person, except the duly authorized agent of the Town, shall uncover any town water lines nor operate any public fire hydrant, and then only on approval from the Town, unless such use is necessary for emergencies. Only a representative of the Town shall operate any valves connected with its water system. Violation of this section shall constitute a misdemeanor punishable as set forth in Section 11-36 A.

Sec. 11-31. Unlawful to Connect Without Authority.

It shall be unlawful for any person or persons (without the written permission of the Town) to connect to and use water without first paying a connection fee and paying for the current month's user fees. If any person take, use or receive the services before making application for the same and paying for the current month, he or they shall be guilty of a misdemeanor punishable as set forth in Section 11-36 A. hereof.

Sec. 11-32. Unauthorized turning of water on or off generally; tampering with appliances.

No person, except employees of the Town shall cut off or turn on water at any Town curb cock or meter, nor remove, disconnect or tamper in any way with any water meter, water connection, fire hydrant, lock, curb cock or curb box, or any part thereof, or any other equipment installed or used by the Hurt Community Water System in connection with the water system, without previous permission, in writing, from the Town so to do; provided, that in case of necessary emergency repair work to be done on any premises, the person doing such repair work shall be permitted temporarily to turn the water on or off and, upon completion of the work, shall leave the water on or off as before. In such cases, notice of such turning on or off of water shall be given to the Town as soon as possible.

Sec. 11-33. Turning water on after cutoff by Town.

Should the water be cut off from any premises by the Town for the nonpayment of a bill or for any other cause, and afterwards be found turned on without authorization of the Town the service may be discontinued and shall not be restored until the unauthorized user shall pay all delinquent bills and, in addition thereto, a fee for reinstitution of water service as shown on the Town of Hurt Master List of Fees and Charges, hereinafter the "Master List" which Master List is incorporated herein by reference and made a part hereof and shall be enforceable as if set out herein. It shall be unlawful for any person to use water obtained through any water service which has been discontinued.

Sec. 11-34. Obstructing valves, manholes, meters, etc.

It shall be unlawful for any person to place, upon or about any gate valve, manhole, fire hydrant, stop cock, meter or meter box connected with the water pipes of the Hurt Community Water System, any object, material, debris or structure of any kind which will prevent free access to such facilities at all times. It shall be the responsibility of the owner or occupant of all premises upon which such facilities are placed to maintain a one-foot clearance around all such facilities; provided, that there shall be a three (3) foot clearance surrounding any fire hydrant. Violation of this section shall constitute a misdemeanor punishable as set forth in Section 22-36 A.

Sec. 11-35. Use of fire hydrants generally.

A. Fire hydrants are provided for the sole purpose of extinguishing fires and all persons, except authorized employees or agents of the Hurt Community Water System or the Hurt Volunteer Fire Department or person authorized by them are hereby prohibited from opening or using such hydrants.

B. A violation of this section shall constitute a misdemeanor punishable as provided in Section 11-36 A. hereof.

Sec. 11-36. Enforcement.

A. Any person, firm or corporation violating any provision of this Chapter 11 or of any ordinance which is now or may be hereafter adopted governing the operations of the Hurt Community Water System and for which no other penalty is provided shall, upon conviction thereof be fined not less than twenty five dollars (\$25.00) nor more than one hundred dollars (\$100.00). Each day continued violation after notification shall be considered a separate offense and said penalty shall be in addition to all charges normally due with respect to the ordinances violated.

B. In addition to the penalty imposed for the violation of any provision of this Chapter 11 or of any ordinance which is now or may be hereafter adopted governing the operations of the Hurt Community Water System the Town may enjoin the continuing violation thereof by proceedings in the Circuit Court of Pittsylvania County.

C. In addition to any other enforcement provision contained herein or available to the Town under the laws of the Commonwealth of Virginia collection of any and all amounts due under Section 11-9 and Section 11-10 or other provision hereof or under the Rules and Regulations of the Hurt Community Water System may be enforced in any manner by which any civil debt may be enforced and furthermore said amounts due shall constitute a lien against the property to which they apply which lien may be perfected by docketing on the judgement lien docket of the Clerk's Office of the Circuit Court of Pittsylvania County.

Sec. 11-37. Severability.

If any section, subsection, sentence, clause or phrase of this Chapter 11 for any reason is held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The Town Council hereby declares that it would have passed the ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.