

# Attachment F



## WATER AND SEWER ORDINANCE

July 1, 2023

# **HARNETT REGIONAL WATER WATER AND SEWER ORDINANCE**

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AN ORDINANCE REGULATING THE USE OF WATER AND SEWER FACILITIES OPERATED BY HARNETT REGIONAL WATER FIXING RENTS, RATES, FEES AND OTHER CHARGES AND PROVIDING FOR COLLECTION OF SAME.

BE IT ORDAINED BY THE COUNTY BOARD OF COMMISSIONERS OF HARNETT COUNTY.

Section 1. Authority.

This ordinance is adopted pursuant to North Carolina General Statutes 153A-275, 162A-85.5 and 162A Article 6 for the purpose of providing adequate and reasonable rules and regulations to protect and regulate water supply and distribution systems and sewer collection systems owned or operated by HRW. The ordinance is also adopted pursuant to North Carolina General Statutes 153A-277, 162A-85.13, 162A-88, 162A-92 and 162A Article 8 for the purpose of establishing a schedule of rents, rates, fees, charges and penalties for the use of and services furnished by water supply and distribution systems and sewer collection systems owned or operated by HRW.

Section 2. Definitions.

Air-Gap Separation is an unobstructed vertical distance through the atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.

Allocation is the assignment or apportionment of water and/or sewer to serve a certain defined area.

Auxiliary Intake is any piping connection or other device whereby water may be secured from a source other than the public water supply.

Backflow is any flow of water into the public water supply from any other source due to a cross-connection, auxiliary intake, interconnection, backpressure, backsiphonage, any combination thereof, or other cause.

Backpressure is any pressure on any source of water other than the public water supply which may be greater than the pressure on the public water supply and may result in a backflow.

Backflow Prevention Device is an approved effective device method used to prevent backflow from occurring in the potable water supply. The type of device shall be based on degree of hazard, existing or potential.

Backsiphonage is any circumstance in which the pressure on the public water supply may be reduced to the point that the elevation and atmospheric pressure on a source of water other than the public water supply may result in a pressure to be greater than the pressure on the public water supply and may result in a back flow.

Building is a structure as defined in *Volume VII, One and Two Families, and Volume I, General Construction*, of the *NC State Building Code*.

Capacity represents the ability to treat or move water and/or sewer. Typically, capacity is expressed in gallons per day (GPD) or million gallons per day (MGD).

Confinement Device is a backflow prevention device that is installed within a private plumbing or distribution system to isolate a localized hazard from the remainder of said system.

Connection is that part of the water service line which runs from the main to the property line, including all appurtenances to make the service complete and ready for use.

Contractor A person or entity, licensed by the State of North Carolina Licensing Board, under contract to the Developer to perform the construction of water and sewer infrastructure of the Development.

Consumer is the person legally or equitably responsible for the payment of charges for water or sewer on any premises.

Containment Device is a backflow prevention device installed at the point of separation between the public water supply and a private service or private distribution system at the point of metering.

Controlled By is owned, operated or leased by.

Cross-Connection is any physical connection whereby the public water supply is connected with any other water supply system, whether public or private, either inside or outside of any building or buildings, in such a manner that a flow of water into the public water supply is possible either through the manipulation of valves or because of ineffective check or back-pressure of any other arrangement.

Cut-Off Valve is a valve used to regulate the water supply to the consumer's premises.

Department shall mean Harnett Regional Water.

Developer Any person, firm, corporation, or other legal entity improving property for commercial, industrial or residential purposes.

Development Property improved for commercial, industrial or residential purposes.

District shall mean any HRW water and sewer district established pursuant to Article 6, Chapter 162A of the North Carolina General Statutes.

Double Check Valve is an assembly composed of two single, spring-loaded independently operating check valves, including tightly closing shut-off valves located at each end of the assembly, and having suitable connections for testing the water tightness of each check valve.

Dual Check Valve is a device containing two independently acting check valves in series.

Easement shall mean an acquired legal right for the specific use of land owned by others.

Engineer of Record A person licensed as a Professional Engineer in good standing with the North Carolina State Board of Registration for Professional Engineers and Land Surveyors acting as an agent for the Developer with regard to water and sewer line extensions.

Fire Line is a system of pipes and equipment used to supply water in an emergency for extinguishing fire.

Flow is the actual amount of water and/or sewer being treated or moved. Flow is frequently expressed in gallons per day (GPD) or million gallons per day (MGD).

Full Service Sprinkler Connection is a separate metered connection originating at a main and running to the property line, and includes all appurtenances to make the connection complete and ready for use. This connection is independent of any other water connection on the premises and shall not be connected to any plumbing or other pipeline where residual water therefrom is required to be discharged into the sewer system.

HRW shall mean Harnett Regional Water.

Improved Street is any street having a wearing surface of concrete, brick, stone block, asphalt, or any bituminous compound.

Interconnection is any system of piping or other arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, heat exchanger, storage reservoir, or other device which does or may contain sewage or other waste or substance which would be capable of imparting contamination to the public water supply.

Lateral is that portion of the water connection which does not include meter, box or meter setter or connection.

Main is the pipe usually laid in a street running parallel to the property line which distributes water or collects sewer.

May is permissive (see “shall”).

NCDEQ North Carolina Department of Environmental Quality

NCDWQ North Carolina Division of Water Quality

Occupant is the consumer who is actually in possession or control of any premises.

Owner is the person having legal or equitable title to any premises.

Payment Plan is an agreed upon schedule for satisfying a consumer’s delinquent account status.

Person is an individual, firm, association, partnership or corporation.

Premises are land, building, or other structure and appurtenances thereto.

Pressure Vacuum Breaker is an assembly containing an independently operating spring loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly must be equipped with suitable connections for testing the proper operation of the device and tightly closing shut-off valves located at each end of the assembly.



Public Water Supply is the water and waterworks system of HRW, and its consumers outside the County boundary, for the provision of piped water for human consumption, and which supply is recognized as a public and community water system by the North Carolina Department of Environmental Quality, Division of Environmental Health, Public Water Supply Section.

Record Drawings -Drawings prepared by the Engineer that indicate the details of the system following the construction phase and that at least meet the minimum standards set forth by the State of North Carolina and the North Carolina Licensing Board for Engineers and Land Surveyors and the HRW Sanitary Sewer and Water Specification

Reduced Pressure Zone Principle Backflow Prevention Device (RPZ) is a device containing within its structure, two spring loaded independently operating check valves, together with an automatically operating check valves, together with an automatically operating pressure differential relief valve located between the two check valves. The first check valve reduces the supply pressure a predetermined amount so that during normal flow and at cessation of normal flow the pressure between the checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging into the atmosphere, shall operate to maintain the pressure between the check valves less than the supply pressure. The device shall have suitable connections for testing, including tightly closing shut-off valves located at each end.

Retrofitted Sprinkler Connection is a second metered connection originating at a point along that segment of the existing service line between the main and the first or existing meter and running to the property line, and includes all appurtenances to make the connections complete and ready for use. The Retrofitted Sprinkler Connection shall not be connected to any plumbing or other pipeline where residual water therefrom is required to be discharged into the sewer system.

Service Line is a water line which may service a house, business, apartments, etc. which runs from the street to the establishment being served.

Shall is mandatory (see “may”).

Standard Size Main refers to a six-inch diameter water main and an eight-inch diameter sewer main.

Subdivision The division of a tract, parcel, or lot into two or more lots or building sites or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development and includes all division of land involving a new street or change in existing streets to include re-subdivision. Subdivision shall also refer to uses of land not ordinarily considered a subdivision, but requiring utility installations. Examples of these uses are mobile home parks, multi-family projects townhouses, and planned unit developments.

System Development Fee A charge or assessment for service imposed with respect to new development to fund costs of capital improvements necessitated by and attributable to such new development, to recoup costs of existing facilities which serve such new development, or a combination of those costs. The term includes amortized charges, lump-sum charges, and any other fee that functions as described by this definition regardless of terminology.

Unit refers to a residential housing unit such as an apartment, condominium or duplex.

Unusual Conditions to mean delays in acquiring materials, parts and (or) supplies, rock encountered in construction and other items which might cause delays not under the control of HRW.

Water and Sewer Plans An engineered drawing, signed and seal by the Engineer of Record, in conformance with the HRW Sanitary Sewer and Water Specifications that delineates the water and sewer infrastructure as well as other on-site improvements proposed for the development of the subject property.

### Section 3. Water Laterals and Tap-On.

Water laterals will be installed only at the request of the Owner or his agent. When the lateral terminates at the property line, the meter shall not be set and the lateral shall not be used until the owner of the property or his agent applies for service.

### Section 4. Connection To Be Made By HRW Only Upon Application.

The construction of water laterals within the street right-of-way and the setting of meters shall be the responsibility of HRW. The construction of such lateral or the setting of such meter shall be done only after the written application therefor has been approved. The only exception to this provision will be when laterals and meter yokes are installed by Developer's contractors in new subdivisions in compliance with Rules, Regulations and Specifications as shall be established by HRW from time to time.

### Section 5. Application for Connection.

Every application for water service shall list, on forms provided by HRW, the property owner, the applicant's name, social security number, driver's license number, phone number, and all other relative forms of identification required by HRW, the street on which the lot is located, the number of the house or a description of the lot location, the number of all types of fixtures planned in the building now and proposed for the future, the distance from the property line where service comes from the street to the furthestmost

point of the building as planned, and the name of the plumber who will do the work. This application shall be filed not less than ten days before the proposed connection is desired. Unusual conditions may be just cause for additional time in providing the services required. When the size of the service and the cost of the connection have been determined, the applicant shall deposit the previously determined cost and shall be issued a permit for the desired connection.

#### Section 6. Disapproval of Application.

If, in the opinion of HRW through its duly constituted authority, the water connection applied for will be of such size or character as to put too great a demand on any part of the system and disrupt the HRW's ordinary water service (500 GPM at 20 PSI residual plus normal service requirements), it shall disapprove the application until such time as adequate means are provided by the applicant to eliminate the unsatisfactory condition. If, at any time, changes are made by a consumer in his service requirements so as to create an unsatisfactory condition in the HRW's water service, HRW shall require the consumer to adopt remedial measures to eliminate the unsatisfactory condition. HRW shall not in any way be responsible for any cost or inconvenience caused by a change in service requirements after an application has been approved, or by an installation before the application has been approved.

#### Section 7. Separate Water and Sewer Connections and Meters Required.

Each building shall have a separate meter, and where practicable shall have a separate water lateral. In the event that one lateral is used for two dwellings, commercial or industrial buildings, or used to serve two or more meters for the same dwelling, commercial or industrial buildings, a separate cut-off shall be provided for each meter. However, there shall be an exception to the requirement for separate water meters in the case of groups of mobile homes or apartment developments under single ownership. In the case of said groups of mobile homes or apartment developments of more than ten (10) units, one meter shall be used for the entire project unless additional meters are deemed necessary by the proper HRW authority, and the following conditions shall be met:

- (a) Bills will be rendered to the Owner of the property.
- (b) The bill will be calculated by a minimum charge for the master meter and for each of the total number of units included thereafter, and calculating the remaining bill based on the total consumption passing through the master meter above the minimum; provided, however, owners of ten or fewer multiple units may elect to have water metered directly to each unit and the charge therefore billed directly to the user in each unit.
- (c) Should any portion of the development be sold, the owners shall be responsible for paying whatever additional costs would be involved in bringing the divided development into compliance with this article.

Section 8. Connections And Meters To Remain Property of HRW.

All meters, boxes, pipes and other equipment furnished and installed by HRW in a water or sewer connection shall remain the property of the HRW. If, after an installation is completed, the property owner requests that a meter or lateral be changed in size and this request is approved by HRW, the property owner shall pay for the change of lateral as though it were a new connection and shall pay or be credited the difference of the cost of meters in the original and new installations according to the then current price of the two meters.

Section 9. Maintenance Of Meters And Connections.

All meter and water laterals shall be maintained by HRW at the HRW's expense.

Section 10. Connection To Other Supply and Cross-Connection Control.

No part of the HRW's water system shall be connected to any source of water supply other than those authorized by official action of the County Board of Commissioners. If, on any premises, both HRW water and water from any other source is used, the piping shall be completely separate. Pipes carrying water from a source other than HRW's supply shall be painted yellow. It shall be unlawful for any person to cause a cross-connection, auxiliary intake, or interconnection to be made with the public water supply; or allow one to exist for any purpose whatsoever.

HRW has the responsibility to inspect properties served by the public water supply where cross-connections with the public water supply are deemed possible. The frequency of these inspections shall be set by the department. HRW shall have the right to enter, at reasonable time, any nonresidential property served by a connection to the public water supply for the purpose of conducting these inspections. In those cases in which the property owner chooses not to provide such access, HRW may designate the location as a high hazard in accordance with the paragraphs below.

The following uses shall be classified as hazardous uses:

- (a) Hazardous uses include, but are not limited to: pumps or tanks handling sewage, radioactive, lethal, or toxic substances, boiler and steam connections, sewer waste lines, low inlets to receptacles containing toxic substances, coils or jackets used as heat exchangers, flush valve toilets without vacuum breaks, bacterial and viral materials, private wells or other private water

supply, irrigation systems, water systems or hose connections, booster pumps, carbonation equipment, or similar hazard potential as determined by the Department.

- (b) Any location at which the nature or mode of operation within a premise are such that frequent alterations are made to the plumbing or at which there is a likelihood in the determination of the Department that protective measures may be subverted, altered, or disconnected.
- (c) Any facility which contains, but is not limited to, a bottling plant, cannery, a building having five or more stories, battery manufacturer, exterminator, greenhouse, chemical processing plant, dairy, dye works, film laboratory, car wash, hospital, commercial laboratory, laundry, metal fabrication operation, mortuary, swimming pool, morgue, x-ray equipment, medical office with laboratory, aspirator, medical washing equipment, packing house, plating plant, poultry house, power plant, nuclear reactor, pumped fire sprinkler or riser system or those equipped with facilities for the introduction of freeze preventive chemicals or other substances other than water.

All installations described in the above paragraphs (a)-(c) shall be deemed hazardous uses, and must have a containment device in the form of a reduced pressure zone backflow prevention device provided that, if the consumer demonstrates to the satisfaction of HRW that sufficient internal confinement devices have been installed and tested. The Department may require that the consumer provide engineering drawings sealed by a professional engineer of installations within the premises, which provide complete internal protection against cross-connection as approved by the Department. Any such connection shall be considered another connection for the purpose of determining the type of containment device required. Each internal confinement device shall be one of the following, as approved by HRW or their authorized representative: reduced pressure zone principle backflow prevention device, double check valve backflow prevention device, air gap, vacuum break-pressure type, or dual check valve. Each reduced pressure zone principle backflow prevention device serving as an internal confinement device shall have a mesh strainer immediately upstream of the inlet gate valve.

Services to single-family residential units, not otherwise required by this ordinance to have other containment devices, may have a containment device in the form of a dual check valve. HRW supplies this dual check valve when residential connections are installed. On all other services which other containment devices are required the owner's representative shall be required to install these devices prior to the installation of a meter by HRW. On all such services for which meters have been applied prior to the adoption of this ordinance, said dual check valve shall be installed by HRW, provided that the Department reserves the right to charge the owner or occupant of any residence for the cost of said device and its installation. Maintenance of dual check valve containment devices installed in accordance with this section shall be conducted by the Department.

All other connections to the public water supply of HRW shall have containment devices in the form of double check valve backflow prevention devices as set forth in the following paragraph. This shall include water mains installed by HRW, including but not limited to mobile home parks, apartments, group housing projects, and other private distribution systems, or similar hazard potential as determined by HRW or their authorized representative.

All containment devices shall be installed according to the following procedure:

- (a) The containment devices shall be located off street right-of-way on the water main side of any plumbing connection. When installed in a building, the device shall be located on the service line immediately after its entrance into the building. Each containment and confinement device shall be installed in a location which is physically accessible for inspection and testing as determined by HRW. Containment devices which have been buried in the ground do not satisfy the provisions of this ordinance. Each reduced pressure principle zone device shall be installed such that flooding of the device is unlikely as determined by the Department.
- (b) HRW shall maintain a list of approved manufacturers and models of hazard containment devices and drawings of standard installations, copies to be made available through the administration office of the Department. All installations and materials shall conform to HRW standards.
- (c) In those cases in which containment and/or confinement devices have been previously installed by any party, the responsibility for maintenance, testing, and replacement as applicable shall be with the consumer.
- (d) The cost of said means of containment, and any other plumbing modifications necessary and convenient thereto, and the testing and maintenance thereof is to be paid for by the consumer.

Upon identification of a hazard, or hazard potential, as defined in this section of the ordinance, HRW shall notify the consumer, of record, of the property on which the hazard exists of the following:

- (a) Location of the Hazard
- (b) Nature of the Hazard Observed
- (c) Date of the Hazard Observed
- (d) Applicable Section of the Ordinance
- (e) Requirements of the Ordinance

Such notification to be made by certified mail, with return receipt requested.

HRW shall be notified by the consumer when the nature of use of the property changes so as to change the hazard classification of that property, as set forth in this ordinance.

The consumer at each property at which containment and/or confinement device(s) have been installed shall have each containment or confinement device(s) tested on an annual basis, and perform any routine maintenance to such device as recommended by the manufacturer, and provide the Department with a report of that inspection and work. The consumer shall cause such maintenance, or repairs to be made, rendering the device fully operational. Failure of the consumer to perform that testing and maintenance shall cause for the premises to be deemed an immediate public health hazard. HRW may immediately thereafter discontinue public water supply service to that premises and service shall not be restored until such devices have been rendered fully operational. Where the use of water is critical to the continuance of normal operations or protection of life, property, and equipment, duplicate containment or confinement devices shall be provided by the property owner to avoid the necessity of discontinuing water service to test or repair the device(s).

Consumer responsibilities under this section include:

- (a) The consumer shall, as required in this ordinance and upon notification, install the hazard containment device(s) as required within ninety (90) days of the date of notification.
- (b) If, after expiration of ninety (90) days, the containment device(s) has not been installed in conformance with the standards set forth in this ordinance and by the Department, in proper working condition, the Department may discontinue the public water supply at that premises, and service shall not be restored until such devices have been installed. The Department may permit an extension of up to ninety (90) additional days if compliance efforts are underway and the existence of hardship can be determined.
- (c) HRW shall bear no liability for direct or consequential damages caused by the discontinuance of service pursuant to this ordinance.

#### Section 11. When Water Meters Read.

All water meters on water systems controlled by HRW shall be read monthly unless unforeseen circumstances dictate otherwise.

Section 12. Adjustment Of Overcharges.

HRW shall have the authority to adjust one water and/or sewer monthly bill per twelve months after determining that the bill is excessive, upon the following conditions:

- (a) If the cause is a defect in a water meter, the water bill shall be reduced to the average amount of such bill for the preceding three (3) months.
- (b) When proof of repair is furnished to substantiate a leak, the water bill shall be reduced by fifty percent (50%) of the amount by which it exceeds the average amount of the consumer's bill for the preceding three (3) months. The average is then added back in to determine the final amount. Leak adjustments for sewer accounts are determined by reducing the sewer bill to the preceding three month average.
- (c) If the cause is of an undetermined origin, and it does not appear upon investigation that the occupant or occupants of the premises served were in any way at fault for the excessive water bill, the adjusted bill shall be calculated the same as in (b) of this rule.
- (d) All metered water lost due to negligence on the part of the user will be charged at the normal rate, and no adjustment of the bill shall be made.

Section 13. Meter Tests.

Any consumer may have a test of his water meter made upon payment in advance of a fee of actual cost of the test for any size meter. A deposit for the estimated cost of the test is required before such test is conducted. If the consumption shown on the meter in question is greater than twice the average consumption for the preceding six months, the fee for testing the meter shall be waived. Since the most accurate water meters suitable for general use require a margin of approximately two and one-half percent for error, any meter which shows upon test an error not greater than two and one-half percent shall not be considered defective. If the meter is found to be over-registering in excess of two and one-half percent, refund shall be made in accordance with Section 12 (a) above, and the deposit paid for the test shall be refunded.



#### Section 14. Bulk Water Usage.

HRW allows consumers or commercial establishments to use bulk water from public fire hydrants through the use of portable hydrant meters after an application has been made and deposit has been paid. The actual deposit shall be determined by HRW according to the size of the hydrant meter and is refundable upon the satisfactory return of the meter. Failure to return the meter in a timely fashion will result in the customer being charged for the full prevailing cost of the hydrant meter. A chain of custody form will be used to annotate the serial number of the hydrant meter, the customer name and relevant billing information, and the signature of the customer requesting the meter. A daily, monthly or yearly rental rate will be billed to the customer according to the desired usage. Any customer requesting to keep the meter for a year will be provided to pay that rental rate at the time of meter issuance or the beginning of each new yearly billing period. The water user also agrees to pay for water obtained at the rate of \$7.00 per 1,000 gallons. A chain of custody form will be used to annotate the serial number of the hydrant meter, the customer name and relevant billing information, and the signature of the customer requesting the meter. The applicant shall be responsible for any damage to the hydrant, meter, backflow, connections, etc., used in the installation and the cost of any such damage shall be taken from the deposit. After deducting the water bill, appropriate rental rate and any cost of damage to the installation, HRW shall refund the balance of the deposit to the applicant as soon as the meter is removed and returned to the HRW's stock. While in use, no wrench shall be used on the hydrant except a hydrant wrench furnished by HRW. If scarred by unauthorized methods, the cost of nut and labor to repair shall be charged to person responsible. Should the water bill, rental rate and cost of damage exceed the deposit, the user shall pay the amount of such excess to HRW.

#### Section 15. Tampering With Meters and Stopcocks.

No person, except an employee of HRW, shall turn the stopcock installed in each meter box nor shall any person construct or have constructed any bypass around any meter except as may be installed and sealed by HRW. The fact that water is cut on to any premises by a person without the prior knowledge of either HRW or the consumer shall not relieve the consumer of liability for such unauthorized use of water. A minimum fee of \$100.00 shall be imposed upon the consumer where such tampering or unauthorized use of water has occurred.

#### Section 16. No Guarantee Of Quality, Quantity Of Pressure Of Water Supply .

Neither the District nor HRW guarantees the quality, quantity or pressure of its water supply. It is hereby made a portion of the terms on which HRW and the District furnish water to consumers that HRW and the District shall in no case be liable to any consumer for any defect on quality or any deficiency in quantity or pressure; that HRW and the District shall not be liable to any consumer for damages resulting from turning on or the complete or partial cutting off of water; and no deduction shall be made from any water bill by reason of any such defect or deficiency. No HRW employee shall take responsibility for telling a property owner or occupant how best to care for his boiler, heater or other equipment which is affected by the discontinuance, either temporary or permanent, of his water supply. The owner or occupant shall be entirely responsible for his equipment and shall hold HRW and the District in no way responsible for damage thereof.

Section 17. Protection Of Water Supply.

No person shall contaminate any portion of HRW or of the Districts' water supply whether the same is in a reservoir, or tank, or pipe.

Section 18. Repealing Clause.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 19. Procedures.

- (a) Service will be supplied only to those who apply.
- (b) Users will make application for service, in person or online, at HRW and at the same time make the deposit guarantee required below. A \$15.00 account set-up fee and/or transfer fee of the same amount is due upon initial account set up or subsequent transfer of a consumer's water service to another address.
- (c) The amount of deposit shall be determined by entering all responsible consumer information into an On-line Utility Database. If the consumer or consumers have a history of outstanding debt to other utilities, a copy of the amount of debt and the utility to which it is owed shall be provided to the consumer at the time of application. A credit score is determined by this procedure.
- (d) Property owners, if approved by the procedure described in Section 19 (c) shall not be required to make a deposit. If the property owner is not approved by the above described procedure, they will be charged a minimum deposit of \$50.00. This deposit will be refunded after one year of no penalties such as delinquent or reconnection fees. All other consumers, if approved

by the procedure described above, shall make a minimum cash deposit of \$50.00 per service requested. All other consumers with a delinquent credit history will be charged a minimum deposit of \$100.00 per service requested. Deposits shall not accrue interest. All consumers who qualify as commercial users under the current rate structure shall be exempt from this deposit requirement.

- (e) All property owners with no established accounts, must provide HRW with a deed or purchase agreement for the property where water and/or sewer service will be provided. All other users must provide HRW with a copy of a rental or lease agreement for the property where water and/or sewer service will be provided. All consumers identified as financially responsible parties on the rental or lease agreement shall be listed as responsible parties on the account at setup by HRW.
- (f) HRW 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.
- (g) HRW may reject any application for service when the applicant is delinquent in payment of any bills incurred for service or connection fees previously supplied at any location, provided that when the Owner of the premises has been served water and has not paid for the same, HRW shall not be required to render service to anyone at said location where the water was used until said water bill has been paid.
- (h) The person or persons in whose name the account is under shall be responsible for payment of all bills incurred in connection with the service furnished.
- (i) A separate deposit is required for each meter and/or service connection requested.
- (j) The deposit receipt is not negotiable and can be redeemed only at HRW.
- (k) The deposit required by this ordinance or part remaining thereof will be refunded upon payment of final bill and final accounting except in instances described in section (d) above in which it may be refunded earlier.
- (l) Final bills are prorated based upon the number of days service is provided.

Section 20. Initial Or Minimum Charge.

- (a) The initial or minimum charge, as provided in the rate schedule, shall be made for each service installed, regardless of location.

- (b) In resort or seasonal areas where service is furnished to a consumer during certain months only, the minimum charge per service for the period of non-use shall be the regular minimum as set out in the published rates of HRW.
- (c) Water furnished for a given lot shall be used on that lot only. Each consumer's service must be separately metered at a single delivery and metering point. Each commercial unit and each storeroom or stall used for business purposes shall have a separate meter. All commercial use including storerooms and stalls for business purposes shall be metered separately from any residential use and vice versa, whether now in service or to be installed in the future.
- (d) Consumers shall be responsible for paying the minimum monthly water and/or sewer bill whether or not water and/or sewer is actually used as long as the service is not turned off by request of the consumer.

Section 21. HRW's Responsibility And Liability.

- (a) HRW shall run a service line from its distribution line to the property line where the distribution line runs immediately adjacent and parallel to the property to be served, and for which a tap-on fee, and system development fee(s) then in effect, will be charged. The tap-on-fee is subject to deviate from the set rate due to cost of the service installation.
- (b) HRW may install a meter at the property line or, at HRW's option, on the consumer's property or in a location mutually agreed upon.
- (c) When two or more meters are to be installed on the same premises for different consumers, they shall be closely grouped and each clearly designated to which consumer it applies.
- (d) HRW does not assume the responsibility of inspecting the consumer's piping or apparatus and will not be responsible therefor.
- (e) HRW reserves the right to refuse service unless the consumer's lines or piping are installed in such manner as to prevent cross-connections or backflow.
- (f) HRW shall 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 HRW. HRW shall not be responsible for any damage done by or resulting from any defect in the piping, fixtures, or appliances on the consumer's premises. HRW shall not be responsible for negligence of third persons or forces beyond the control of HRW resulting in any interruption of service.

- (g) Under normal conditions, the consumer will be notified of any anticipated interruption of service.

Section 22. Consumer's Responsibility.

- (a) Piping on the consumer's premises must be so arranged that the connections are conveniently located with respect to HRW's lines or mains.
- (b) If the consumer's piping on the consumer's premises is so arranged that HRW is called upon to provide additional meters, each place of metering will be considered as a separate and individual account.
- (c) Where meter is placed on premises of a consumer, a suitable place shall be provided by consumer for placing such meter, unobstructed and accessible at all times to the meter reader.
- (d) The consumer shall furnish and maintain the service line on the consumer's side of the meter; HRW to provide a like service on HRW's side of such meter.
- (e) The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense in a safe and efficient manner and in accordance with HRW's rules, regulations, specifications, and ordinances and in full compliance with the sanitary regulations of the North Carolina State Board of Health.
- (f) The consumer shall guarantee proper protection for all property controlled by HRW and placed on the consumer's premises by HRW or any predecessor in interest to HRW and shall permit access to it only by authorized representatives of HRW.
- (g) In the event that any loss or damage to such property or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the consumer, his agents, or employees, the cost of the necessary repairs or replacements shall be paid by the consumer to HRW and any liability otherwise resulting shall be assumed by the consumer.
- (h) The amount of such loss or damage or the cost of repairs shall be added to the consumer's bill; and if not paid, service may be discontinued by HRW.

Section 23. Access To Premises.

HRW personnel shall have access at all reasonable hours to the premises of the consumer for the purpose of installing or removing property controlled by HRW, inspecting piping, reading or testing meters, or for any other purpose in connection with HRW's service and facilities.

Section 24. Change of Occupancy.

- (a) Not less than three days notice must be given in person or in writing to discontinue service for a change in occupancy. Such notice shall be given at the HRW office which has responsibility for management of water and sewer systems.
- (b) The outgoing party shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longest.

Section 25. Suspension Of Service.

- (a) Services may be discontinued at the request of the consumer, provided the consumer pay all current balances. When services are discontinued and all bills paid, the deposit will be refunded in accordance with this Ordinance.
- (b) Services may also be discontinued by HRW to any customer whose account remains delinquent for more than ten (10) days. The deposit will be applied by HRW toward settlement of the account. Any balance will be refunded to the consumer; but if the deposit is not sufficient to cover the bill, HRW may proceed to collect the balance in the usual way provided by law for the collection of debts.
- (c) Service discontinued for non-payment of bills will be restored, at the request of the consumer only after bills are paid in full, and a service charge of \$40.00 paid for each meter reconnected except as set forth hereafter. The consumer being reconnected must also make the required deposit. The consumer may elect to pay an additional service fee of \$50.00 to

expedite the reconnection process. The payment of this fee will guarantee the reestablishment of water service to the consumer on the same day the account is paid in full.

- (d) After a connection has been discontinued for a period of twelve consecutive months HRW may remove the meter base, meter, curb stop valve, meter box and service line for use elsewhere or for storage.
- (e) At any time after a connection has been removed an additional service charge equal to the then current tap-on-fee shall be paid as a reconnection fee. Also the consumer must make the required deposit.
- (g) HRW reserves the right to discontinue its service without notice for the following additional reasons:
  - 1. To prevent fraud or abuse.
  - 2. Consumers willful disregard for HRW's rules and ordinances.
  - 3. Consumers nonpayment or adherence to agreed-upon payment plan terms.
  - 4. Emergency repairs.
  - 5. Insufficiency of supply due to circumstances beyond HRW's control.
  - 6. Legal processes.
  - 7. Direction of public authorities.
  - 8. Strike, riot, fire, flood, accident, or any unavoidable cause.
- (h) HRW may, in addition to prosecution by law, permanently refuse service to any consumer who tampers with a meter or other measuring device.

Section 26. Complaints - Adjustments.

- (a) If the consumer believes his bill to be in error, he shall present his claim, in person, at HRW before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest, and said payment shall not prejudice his claim.
- (b) HRW will make special meter readings at the request of the consumer for a fee of \$25.00 provided, however, that if such special reading discloses that the meter was over read, or in error in any way, the fee will be refunded.
- (c) Meters will be tested at the request of the consumer upon payment to HRW of the actual cost to HRW of making the test provided, however, if the meter is found to over register or under register beyond two and one-half per centum (2 1/2) of the correct volume, no charge will be made.
- (d) If the seal of the meter is broken by other than HRW's representative, or if the meter fails to register correctly, or is stopped for any cause, the consumer shall pay an amount estimated from the record of his previous bills and/or from other proper data.

No modification of rates or any of the stipulations in this ordinance shall be made by any employee of HRW.

Section 27. Classifications, Rates, Fees and Charges.

The following classifications, rates, fees, and charges are adopted:

- (a) Classification of Service.

All services are classified under three categories to include residential, commercial, or bulk municipal users. A residential service is a service requiring a meter size up to and including one inch. A commercial service is a service requiring a meter size greater than one inch up to and including two inches. A bulk municipal service is a service requiring a meter size greater than two inches, where the user is a municipality and/or other public body.



(b) Rate Schedule:

(1) Residential:

<u>Water Schedule</u>	<u>Monthly</u>
Flat rate, first 2,000 gallons (minimum)	\$ 22.00
All water used over 2,000 gallons	\$ 5.75 per 1,000 gallons

<u>Sewer Schedule</u>	<u>Monthly</u>
Flat Rate, no gallons	\$ 16.00
Commodity charge	\$ 6.50 per 1,000 gallons
Flat sewer rate, one person household	\$ 42.00
Flat sewer rate, two or more in household	\$ 48.00

(2) Commercial:

<u>Water Schedule</u>	<u>Monthly</u>
Flat rate, first 2,000 gallons (minimum)	\$ 30.00
All water used over 2,000 gallons	\$ 5.75 per 1,000 gallons

<u>Sewer Schedule</u>	<u>Monthly</u>
Flat rate, no gallons	\$ 45.00
Commodity charge	\$ 6.50 per 1,000 gallons
Flat rate, institutional, no gallons	\$ 300 minimum
Commodity charge	\$ 6.50 per 1,000 gallons

(3) Bulk Municipal:

Water-\$ 3.00 for each 1,000 gallons used. Where bulk municipal connections exist, HRW may require that the water purchaser guarantee a minimum usage allocation and payment for the same, whether used or not.

Water-Capacity Owners- \$2.35 for each 1,000 gallons used. Bulk municipal rates may differ depending upon the purchase of capacity in County owned production facilities and/or other extenuating circumstances deemed by HRW.

Water-Woodlake- \$3.20 for each 1,000 gallons used.

Sewer-\$ 2.75 for each 1,000 gallons treated.

Sewer-Linden Oaks- \$3.00 for each 1,000 gallons treated.

Energy Charges-\$0.35 for each 1,000 gallons of water used.

Note: Energy charges may differ depending upon the number of pumps required for delivery.

(c) Tap-On-Fees.

Water Services

2	inch connection	\$ 3,500
1	inch connection	\$ 2,200
3/4	inch connection	\$ 1,200

Sewer Services

4	inch gravity connection	\$ 1,500
6	inch gravity connection	\$ 2,500

8 inch gravity connection \$ 4,000  
 Step Tank \$ 2,800

Larger connections and/or road bores, including those for bulk municipal connections, shall be negotiated as may be appropriate.

(d) Hydrant Meter Charges.

<u>Services</u>	<u>Charges</u>
3/4 inch hydrant meter	\$250.00 Refundable Deposit \$5.00/day or \$140.00/month rental rate \$1,200.00/yearly rate (must be paid up front) \$7.00/1,000 gallons
3 inch hydrant meter	\$500.00 Refundable Deposit \$10.00/day or \$280.00/month rental rate \$2,500.00/yearly rental rate (must be paid up front) \$7.00/1,000 gallons

(e) Septage Hauler Waste Fee

Basic Facilities Charge	\$20.00 per Truckload
Usage Charge	\$65.00 per 1,000 gallons

This service is available only to those applicants having obtained prior written approval from the HRW Wastewater Division. Waste from septic tanks and portable toilets shall be accepted if it fully conforms with the Harnett County Sewer Use Ordinance.

(f) Rates for persons living outside the District.

Rates for persons living outside of Harnett County and served by HRW water lines owned or operated by HRW or a District shall be equal to rates for persons living inside Harnett County so long as no tax is levied within Harnett County for support of

the system; if a tax is levied on users inside Harnett County for the purpose of supporting the water system, then the users outside Harnett County shall pay an increased rate.

(g) Water and Sewer System Development Fees.

System development fees (SDFs) are a one-time charge implemented to recover the costs associated with capital investments made by a utility system to make service available to future users of the system. Such capital costs include the construction of facilities as well as engineering, surveys, land, financing, legal and administrative costs.

These charges are reasonable and necessary and result in a more equitable and economically efficient method of recovery of such costs to handle new growth and to serve new customers without placing an additional financial burden on existing customers solely through inordinate enhancement of water and sewer rates. Water System and Sewer System Development Fees will be charged for all new water and/or sewer services connecting to any water supply or distribution system and/or sewer collection system owned and/or operated by HRW. Determination of water and sewer SDFs were accomplished per a system development fee analysis that met the requirements of N.C.G.S 162A-205 and is posted on HRW's website for review. The SDF rates vary by meter size although larger commercial and industrial connection SDFs may be determined by an equivalent residential unit methodology by HRW staff when potential demands exceed standard meter sizes. All system development fees shall be paid to HRW per N.C.G.S 162A-213 in the manner set forth below: The system development fees for new land subdivision development shall be payable at the time of application for a building permit. In instances of any other new development to include commercial/industrial developments, the full balance of these fees shall be due at the time of application for connection of the individual unit of development or when HRW commits to provide water and/or sewer service to the development, whichever occurs sooner.

In instances where separate agreements are established for land subdivisions that exceed 200 lots, as described in section 29.1 (b) below, these fees will be paid at the time of execution of the agreement and held in escrow until such time as the balance of said fees are drawn down when individual building permits are issued within the development. The fees held in escrow will always be drawn down prior to any individual payments for lots at the time of application for a building permit. If the rate of said fees established by the Harnett County Board of Commissioners increase or decrease while still in escrow then any material difference must be paid or likewise credited to the escrow when the building permit is issued. If for any reason HRW rescinds the capacity allocation, as described in section 29.1 (b) below then all remaining fees for lots without building permits issued still held in escrow will be refunded to the payee.

(h) Plan Review Fees

Plan review fees for extensions of HRW's water and sewer systems shall consist of a \$250.00 Preliminary Plan Review for all projects and a \$40.00 per lot and/or residential equivalent unit for all types of development. These fees cover plan review, on-site inspections, and one-year warranty inspections.

#### Section 28. Connection to Existing Systems.

In the event that HRW desires to connect its water distribution system to previously existing systems, all such systems must have the approval of the Division of Health Services, of the North Carolina Department of Human Resources before such connection may take place and all previously existing sources of water must be completely abandoned and rendered incapable of future water production.

#### Section 29.1 Water and Sewer Extension in New Developments.

Article V, Section 5.3 of the Harnett County Subdivision Regulations describes the basic conditions under which water and sewer extensions are required in HRW's jurisdiction. HRW reserves the right to provide or not provide water and sewer extensions depending upon the availability of water and sewer capacity. The responsibility for extending water and sewer mains to and within new subdivisions or within other new developments lies with the subdivider or Developer, although HRW may in its discretion contract with the subdivider or Developer to install such water or sewer lines with HRW personnel.

##### (a) Water and Sewer Plan Requirements.

If a water distribution or sewer collection system is to be installed in a subdivision in HRW's jurisdiction, and the system is to be assumed and maintained by HRW immediately upon completion of installation, a complete set of construction plans must be provided for the proposed system. The plans shall be prepared by a N.C licensed professional engineer serving as the Engineer of Record for the development and shall have their seal and signature with the date on each plan. Water and sewer plans shall include a determination of the estimated water and sewer capacity needed to serve the development based on NCDEQ design standards and shall consist of an overall composite plan, large scale individual plans with profiles as needed, detail sheets, grading plans, erosion control plans, specifications and calculations. Plans must also be submitted in electronic formats to include Computer Aided Design (CAD) and/or Portable Document Format (PDF). Plans will provide for the construction of water infrastructure from the point of connection with existing HRW water mains to the meter boxes of the properties to be served and for sewer infrastructure from the sewer clean out to the connection with existing HRW sewer mains. The plans must conform to HRW specifications, N.C. Administrative Code 15A Subchapter 2T Waste Not Discharged to Surface Waters and to Title 15A Subchapter 18C- Rules Governing Public Water Systems.. The engineer shall provide sealed as-built plans and location maps for all valves and hydrant locations upon construction completion.

(b) Capacity Allocation Determination

HRW reserves the right to impose minimum and/or maximum lot counts for each proposed phase within a new land subdivision development to help adequately determine future water and/or sewer capacity allocations and to prohibit excessive review and administrative overhead. Minimum lot counts will be determined on a case by case basis depending upon the development. Land subdivision developments are limited to a maximum of two hundred (200) lots or residential equivalent units. Land subdivision developments that consist of lots greater than two hundred (200) can request an additional water and/or sewer capacity allocation of up to two hundred (200 lots) for a maximum of four hundred (400 lots) per development. This request requires a separate agreement with different requirements for payment of water and sewer system development fees, as outlined in Section 27(g) Water and Sewer System Development Fees. All water and/or sewer improvements within approved phases must be constructed and lots within approved phases must be recorded within two (2) years of receipt of the Authorization to Construct Permit from HRW/NCDEQ. If a minimum of fifty percent (50%) of its planned building permits are not issued within four (4) years from the receipt of the Authorization to Construct Permit from HRW/NCDEQ, HRW reserves the right to rescind the unused amount of capacity for future use and begin the review process again in earnest to include updated plans and construction drawings from the Engineer of Record for the development. Supplementary phase construction requests of a maximum of two hundred (200) lots of the same land subdivision development will be reviewed but not permitted for construction until the above described conditions are met.

(c) Shop Drawing Review.

The developer's Engineer of Record will review all shop drawings for conformance with HRW specifications prior to submittal to HRW. The shop drawing submittal to HRW shall include a cover letter by the developer's Engineer of Record certifying conformance with HRW specifications and summarizing any exceptions or concerns relative to approved drawings and/or HRW standards.

(d) Conformance and Inspection/Oversight.

Improvements shall be installed in accordance with the established specifications, and other applicable policies of HRW. Contractor shall conform to all applicable local, state and federal regulations. No field changes to the plans are allowed without prior written approval from HRW. The Developer shall, at his expense, retain the services of the Engineer of Record for the purposes of providing necessary inspections and supervision of the construction work, record drawings and Engineer certifications. The engineer is responsible to insure that construction is, at all times, in compliance with accepted sanitary engineering practices and the approved plans and specifications. A copy of each Engineer's field report is to be submitted to HRW as each such inspection is made. Water and sewer infrastructure must

pass all tests as required by HRW specifications and those of all applicable regulatory agencies. These tests include, but are not limited to, air test, vacuum test, mandrel test, visual test, pressure test, bacteriological test, etc. A HRW inspector must be present during testing. All test results must be submitted to HRW. All tests must be satisfied prior to Final Inspection. Following completion of construction of all water and sewer infrastructure delineated in the approved water and sewer plans a Final Inspection must be requested in writing by the Developer or Developer's engineer. The Developer's engineer and HRW inspector shall prepare a written punch list of any defects or deficiencies noted during this inspection, should any exist. Upon completion of the punch list, the Developer's engineer will schedule another inspection. In the event the number of inspections performed by HRW exceeds two, additional fees may be assessed to the Developer.

(e) Off-site and Over-sizing of Infrastructure.

For developments that are not adjacent to water and sewer infrastructure of sufficient size and capacity to meet the needs of the proposed development, the Developer shall be responsible at their sole expense for the design and construction of any and all improvements to the HRW system deemed necessary to meet the service requirements of the development. The Developer shall incorporate the off-site improvements in the water and sewer plans submitted for the proposed development. These improvements shall be consistent with the HRW Utility Master Plans and conform to the requirements of this policy. The Developer may be required as a condition of approval of this development to install either on-site or off-site improvements of a greater capacity than required to serve their development in order for HRW to serve future developments or to meet other service needs of HRW. If this is the case, HRW shall reimburse the Developer for any additional costs incurred as a result of installing such oversized lines. Under no circumstances will HRW reimburse the Developer for any additional costs associated with the installation of mains equal to or less than 8 inches in diameter for water and 12 inches in diameter for sewer as these sizes would be below or equal to the standard size mains utilized by the HRW.

(f) Easements for Future Water and Sewer Lines.

The Developer shall secure the services of a professional engineer to design the system in accordance with HRW specifications. HRW desires to develop its water and sewer infrastructure in an orderly manner that minimizes energy consumption and makes the most efficient use of existing and proposed infrastructure. To accomplish this, the Developer may be required as a condition of approval of their development to dedicate easements with the boundaries of the development to HRW for placement of future water and sewer infrastructure. The Developer shall incorporate the requested easements in the water and sewer plans submitted for the proposed development. Water and/or wastewater infrastructure proposed for acceptance and ownership by HRW must be in a dedicated utility right-of-way/easements or public right-of-way/easements. The cost associated with the acquisition of any easement or right-of-

way contract for extensions of water and/or sewer mains over privately owned lands will be solely borne by the Developer. HRW also prefers that the Developer acquire these rights-of-way privately if at all possible. Further explanation of HRW's participation in easement acquisition for private development is explained in Section 30.2 below.

(g) Transfer of Title.

The Developer shall transfer to HRW, title to all water distribution and sewage collection systems installed by Developer's contractor. Such conveyance is to take effect without further action upon the acceptance of HRW of said installation. As further evidence of said transfer of title, upon completion of the said installation and prior to the rendering of service by HRW, the Developer shall, without cost to HRW:

- (1) Convey at no cost to HRW, its successors or assigns by good and sufficient easement deed or dedication in right-of-way in a form satisfactory to HRW a perpetual right, easement and privilege to operate, maintain and repair or replace all water and wastewater mains, pipes, connections, pumps and meters within granted easements upon Developer's property in connection with supplying water and wastewater service to the inhabitants, occupants and customers in Developer's property and secure from each mortgagee and lien or a release of mortgagee's and lienors' interest in the easement and fixtures thereon for so long as the easement is used for the operation, maintenance, repair replacement of water and wastewater mains, pipes, connections, pumps and meters within the easements.
- (2) Transfer at no cost to HRW all Developer's right, title and interest in and to all of the water and wastewater supply lines, mains, connections pipes, valves, meters and equipment installed up to and within granted easements and right-of-way for the purpose of supplying water service and wastewater collection for the inhabitants, occupants and customers in Developer's property.
- (3) Furnish HRW with an AFFIDAVIT that all persons, firms or corporations who furnished labor or materials used directly or indirectly in the prosecution of the work required to be performed by the Agreement have been paid. Said AFFIDAVIT shall be written in such a form as approved and accepted by HRW.
- (4) Furnish HRW with a RELEASE OF LIEN from all contractors and suppliers of materials and/or labor who might have acquired interest into the installations by the supply of materials and/or labor otherwise.
- (5) Furnish HRW with all Manufacturers' warranties which Developer might have received or is due to receive on any part of the installations.



(6) Pay to HRW any and all applicable charges which shall be due and payable prior to connection to HRW water and/or wastewater system.

(7) Furnish HRW with a satisfactory warranty on guaranteeing all equipment and infrastructure installed pursuant to this Agreement against defect in materials, equipment of construction for a period of not less than one (1) year from date of acceptance of same by HRW. Said warranty shall be in such a form as approved and accepted by HRW.

(h) Metering Requirements.

Each individual apartment, residence, unit or business, must have an individual meters with the exception of existing apartment complexes, condominiums, shopping centers, mobile home parks and residential developments where lines do not meet HRW standards. These qualifications for the use of master meters, rather than individual meters, are clearly defined in section 7 of the Harnett County Ordinance Regulating The Use Of Water Facilities.

(1) Meters meeting HRW specification and of appropriate size for desired application shall be furnished to the HRW at the expense of the Developer and shall become the property of HRW.

(2) Each occupancy or property owner must post a security deposit and setup fee, as listed in Section 20 (d) of the above-mentioned ordinance, prior to activation of the service.

(3) All water lines and meter services must be in a right-of-way with a minimum width of twenty (20) feet and dedicated to HRW for the operation and maintenance of said water lines and meter services.

Section 29.2 Acquisition of Easements For Developers In County Participation Projects

Should a Developer encounter problems acquiring utility right-of-way across private property for a project, he may request a meeting with the HRW Director, or his designee, to discuss gaining assistance from HRW. For eligibility of participation by HRW, the subject water or sewer line must serve a public purpose or benefit as defined in HRW's case as providing a minimum value, for residential developments, of \$350,000 tax base per lot and a minimum number of 50 lots. Commercial or industrial developments will be reviewed on a case by case basis to determine their value. The Director will review and make a determination as to possible eligibility for participation. If the Director determines there is a valid basis for participation, the process will be explained to the Developer. Agreement to participate by the Developer will result in a letter of recommendation to the Legal Services Department and the County Manager. If the Legal Services Department agrees that participation is warranted then they shall notify the Developer in writing and

then in conjunction with HRW meet with the Developer to review their obligations. All property maps and descriptions will need to be approved by HRW and need to comply with these standards and procedures.

- (a) One (1) copy of blueprint of each map with a copy of the descriptions of the taking shall be submitted by the Developer's engineering firm/surveyor for review. The map and descriptions need to be sealed by a professional surveyor.
- (b) Legal will contact the Developer's engineering firm/surveyor after review is completed so that review comments can be addressed.
- (c) The Developer's engineering firm/surveyor will have to re-submit a copy of blueprint of the corrected plans and a copy of the corrected descriptions, together with all the copies marked with corrections requests.
- (d) When Legal is satisfied that all changes have been made, the Developer's engineering firm/surveyor will be contacted and asked of submission of the following items:
  - 1) The original mylar of the plans, signed, sealed and dated by a professional surveyor.
  - 2) A copy of the legal description, signed, sealed, and dated by a professional surveyor.
  - 3) A dxf of dwg drawing file submitted on a flash drive or through email, for all computer-generated with the drawings. This file should be on project coordinated (I.e. NAD83 coordinates). Also an ASCII points file, with the point number, coordinates, and descriptor of each point.
- (e) The Developer's attorney will need to prepare the required deeds and contact the County's Legal Department for the approval of the deeds.
- (f) The Developer or his attorney will furnish the Legal Department with a copy of the deeds after they have been recorded in the Office of the Register of Deeds of Harnett County, NC.
- (g) In lieu or preparing property maps, legal descriptions, deeds and deeds of assignment, the Developer may choose to have his surveyor prepare a plat of recordation. The Legal Department will still review the plats. Once the maps have been finalized they will need to be submitted to the Planning Department for their review. The Developer may then have the owners sign dedications statements on the plat.
- (h) In the event that the property owner denies the Developer's surveyor access to the property, the surveyor shall compile the maps needed for the easements from publicly available sources and use these documents to estimate the easement square footages required. The estimated value of the easements, per square footage, based on the independent appraisal

shall be multiplied by the estimated required square footage of the easement as a basis of offer. This offer may be considered as sufficient proof that a good-faith effort was made. Final settlement value will be contingent upon a survey meeting HCDPU's requirements as stated above.

- (i) The Developer shall send letters to the property owners requesting permission of site access and HRW will initiate contact with the affected property owners to alert them to the activity. Based on the approved drawings and descriptions, the Developer commissions an independent appraisal of the properties. An offer shall be in writing to the property owner and sent via certified mail, return receipt requested. Upon refusal of the offer, as detailed above:
- (j) HRW will schedule a meeting with the Developer and the affected property owner(s) to; discuss the situation, explain the necessity for the project (e.g. public good, public necessity, coordination with the long-term infrastructure development of the County), and ascertain that an offer has been made and effused. Furnish Legal Department copies of correspondence as written documentation.
- (k) If condemnation proceedings are the only option left to obtain the necessary easements, a Board of Commissioner Agenda item from the Harnett Regional Water Director to the County Manager must be prepared and sent and copied to the Legal Department.
- (l) Legal Department will notify the Developer and the affected property owners as to the date, which the Board of Commissioners will consider the request.
- (m) Board of Commissioners will decide as to whether or not to direct Legal to initiate the condemnation process of the property in question. Condemnation under this Policy shall be subject to the Board of Commissioners findings of public purpose, public necessity, and approval of exercise of eminent domain.
- (n) Upon the Board of Commissioners approval and prior to HRW staff starting action, the Developer to deposit with HRW twice the amount of the estimated cost of the right-of-way.

The Developer will have the right to have his attorney participate in the process in conjunction with HRW attorneys. If the Developer elects not to, he shall furnish a waiver to HRW to that effect. Upon obtaining the right-of-way, HRW shall refund to the Developer all funds (item m) over and above those required to obtain the right-of-way. In the event that condemnation becomes and is approved by County Commissioners, the Developer shall write a letter to HRW stating that he will be fully responsible for any and all cost and

expenses awarded by the court in the condemnation case. For County projects, that letter will be written to the County Development Services Department. At the option of HRW, the Developer may be required to deposit additional funds up to five times the amount of the estimated right-of-way value. HRW will retain these funds until completion of the judgment, at which time any remaining monies will be returned to the Developer. The money on deposit with HRW will bear no interest.

Section 29.3 Extension of Water and Sewer Lines Within County.

(a) HRW currently extends service by 3 methods:

1. Capital Projects using Loan & Grants to fund.
2. Private Development within public rights-of-way or dedicated rights-of-way funded by private funds.
3. Co-operative Projects - between HRW and private sector for commercial and industrial development. The amount of HRW funds contributed to a co-operative project is guaranteed to be repaid to HRW by the Developer in net tax proceeds from the improved Property within the first five years. If the net tax proceeds received within the five year period fail to equal HRW’s fiscal contribution to the project, the Developer shall pay the difference to HRW.

(b) HRW proposes to designate, from the Harnett Regional Water Fund, certain restricted annual appropriations for the development of water and sewer line extensions within Harnett County. All requests for extensions shall be rated on the following point system.

- |   |                  |
|---|------------------|
| 1. Public Health Severity                           | 40 points        |
| 2. Cost Feasibility Based Upon Return of Investment | 40 points        |
| 3. Contributed Capital by Individual or Business    | <u>20 points</u> |

Points Maximum 100 Points

The responsibility for rating each request will be with the Director of Harnett Regional Water or the designee of the Director. A minimum score of 50 points is required in order for the Harnett County Board of Commissioners to consider the request.

Section 29.4 Extensions Outside of County.

- (a) HRW has no responsibility to provide water or sewer service to property located outside the County. However, upon request, HRW may extend its water or sewer lines to serve properties outside the County when it determines that it is in the County's best interest to do so.
- (b) Any owner of property outside the County who seeks an extension of HRW's water or sewer system to serve the property shall submit an application for extension to HRW. The owner shall provide all information HRW deems necessary to determine whether the requested extension is feasible and in the County's best interest.
- (c) The responsibility for, and the entire cost of, extending a water or sewer line to serve property outside the County shall be borne by the property owner requesting the extension.

Section 29.5 Extensions Made by Other than HRW Personnel.

- (a) Extensions of HRW's water or sewer system installed by other than HRW personnel, whether inside or outside the county, shall be installed by a licensed utility contractor in accordance with the provisions of this policy as well as other HRW specifications and requirements. Among other matters, such specifications shall govern the size of all lines, their locations, grades, materials used, manner of installation and provision for future extensions.
- (b) No construction or any addition to HRW's water or sewer system shall commence until detailed plans have been reviewed and approved by the Director of Harnett Regional Water or the designee of the Director. Such plans shall include whatever information the administrator deems necessary to determine whether the proposed extension complies with all applicable HRW specifications and requirements.

- (c) Water lines intended for addition to HRW owned water system will be allowed to connect to the system if installed within the rights-of-way of a dedicated street or if adequate permanent easements are provided. Sewer lines shall also be installed within public street rights-of-way wherever practical, but HRW may accept sewer lines constructed on private property (where the topography makes this necessary) if adequate permanent easements are provided.
- (d) To protect street surfaces, HRW shall require that whenever extensions of water or sewer lines are made to properties or within new subdivisions, laterals be extended to all properties expected to tap onto such water or sewer lines.

Section 29.6 Observation by HRW of Work Done by Others.

- (a) All work on the extension of water or sewer lines not performed by HRW forces (whether inside or outside the county), shall be subject to observation by HRW. If, in the judgment of the Director of Harnett Regional Water, or the Director's designee, there is a demonstrated lack of competent supervision by a contractor, the administrator may at his option:
  - 1. Stop work until approved supervision is obtained and the work is done in accordance with HRW specifications and requirements;
  - or
  - 2. Provide observation by HRW personnel.
- (b) Observation of a project by HRW does not consist of or imply supervision. The person requesting the extension is solely responsible for ensuring that the project is completed according to State approved plans and HRW specifications.

Section 29.7 Dedication of Water and Sewer Line Extensions.

- (a) All water and sewer mains constructed and connected with the water and/or sewer facilities of HRW pursuant to this section shall be conveyed to and become the property of HRW upon completion and acceptance by HRW. Connection to the system and acceptance by HRW shall constitute dedication of a water or sewer main extension by the person responsible for the extension.
- (b) Following dedication as provided in Subsection (a), HRW shall have exclusive control of all water or sewer lines and shall be responsible for their maintenance, repair and operation. However, the conveyor of additions to the system

shall guarantee the entire project against defective material and workmanship for a period of twelve (12) months from the date of acceptance of the project, including such incidental damages as may arise from such claims.

Section 30. Delinquent Service Fees.

- (a) Except as provided in subsection (e) of this section, when a consumer shall have failed to pay their account (as specified in subsection c of this section) by the due date set forth on their bill, a delinquent service fee shall be imposed upon the consumer and the amount of such fee shall be added to the balance due.
- (b) The amount of the delinquent service fee provided for in this section shall be the sum of ten (\$10.00) dollars.
- (c) A consumer shall have failed to pay their account when the full amount charged to the consumer for service supplied as stated on their bill has not been paid over to and received by HRW by 5:00p.m. on the due date set forth on the bill.
- (d) The bill which shall be mailed to a consumer setting forth the charges due for services supplied, shall state the due date, the amount of the bill if paid by the due date, the amount of the bill if paid after the due date and shall further state that if payment is not made by the due date that the delinquent service fee will be charged.
- (e) When a consumer has paid all bills rendered to him by the due date set forth on each bill for twelve consecutive billing periods, should that consumer then make a payment after a due date, the delinquent service fee shall be waived for that period.

Section 31. Sprinkler Connections.

- (a) Application for Full Service and Retrofitted Sprinkler Connections shall be made in person at HRW. Forms to be used in application processing shall be administratively prepared and matters otherwise associated with service application shall be processed pursuant to and in accordance with the rules, regulations, policies and/or procedures applicable to the service district within which the premises to be served is located.
- (b) The same schedule of connection or tap-on-fees applicable in the service district within which the premises to be served is located shall apply with respect to Full Service Sprinkler Connections.

- (c) The following schedule of connection or tap-on-fees shall apply in all service districts to the Retrofitted Sprinkler Connection:

2 inch connection	\$2,000.00
1 1/2 inch connection	900.00
1 inch connection	650.00
3/4 inch connection	500.00

The above connection fees do not include associated meter or other necessary equipment charges.

- (d) The same schedule of rates, including the monthly minimum charge, applicable in the service district within which the premises to be served is located shall apply with respect to Full Service Sprinkler Connections. No sewer charges shall be made to the Consumer based upon the water consumption of the Full Service Sprinkler Connection.
- (e) The same schedule of rates applicable in the service district within which the premises to be served is located shall apply with respect to Retrofitted Sprinkler Connections. No monthly minimum charge will be made except during those months when the connection has been used. No sewer charges shall be made to the Consumer based upon the water consumption of the Retrofitted Sprinkler Connection.
- (e) Except as specifically provided in this Section, all of the other rules, regulations, policies and/or procedures applicable to the service district within which the premises to be served is located shall be applicable with respect to Full Service and Retrofitted Sprinkler Connections.

### Section 32. Provision for Cut-Off Valve

Any person desiring to connect to a water supply and distribution system owned and/or operated by HRW shall be required to install a cut-off valve of a minimum size of 3/4” onto the service line running from the meter box to the consumer’s premises. This cut-off valve shall be located within twelve (12) inches of the connection of the customer’s service line to the meter box. A diagram showing a typical installation of such cut-off valve is attached hereto and made part of this section.




This section shall be enforceable in addition to the minimum requirements of the North Carolina State Building Code regarding plumbing and placement of cut-off valves.

Duly Adopted this 5<sup>th</sup> day of June 2023, upon motion made by Commissioner Morris and adopted by the following vote:

Ayes 4 Noes 0 Absent 1.

Board of Commissioners of the County Harnett County

By:   
Matthew Nicol, Chairman of the Board and of the  
Governing body of the Water and Sewer Districts of  
Harnett County.

