

AN ORDINANCE ESTABLISHING AN OPERATING POLICY  
FOR  
SANITARY DISTRICT NO. 2 ✓  
JAMES CITY COUNTY, VIRGINIA

3.00 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:

- 3.01 "Administrator" shall mean the Board's duly appointed agent.
- 3.02 "County" shall mean James City County, Virginia.
- 3.03 "Board" shall mean Board of Supervisors, the governing body of James City County, Virginia.
- 3.04 "District" shall mean Sanitary District No. 2, James City County, Virginia, located in the Grove Area of James City County.
- 3.05 "Committee" shall mean the Advisory Board of Sanitary District No. 2.
- 3.06 "Franchise Territory" shall mean the territory included within the boundaries of the "District".
- 3.07 "Premises" shall mean any building, group of buildings, or land upon which buildings are to be constructed which is or may be served by the facilities of the District.
- 3.08 "Facilities of the District" shall mean any and all component and pertinent parts of the entire systems of the water and sanitary sewer utilities under jurisdiction of the District, such as water pipe lines, and their appurtenances, sewage pumping stations and treatment plants, including these items and others now constructed, installed, operated or maintained by the District, or any which may be approved and accepted in the future as additions or extensions of the systems, including the water lines which will be owned and operated for the District by the Newport News Water Department.
- 3.09 "Person" shall mean any individual, firm, corporation, association, society or group.
- 3.10 "Owner or Developer" shall mean any person, firm, corporation or association having an interest, whether legal or equitable, sole or partial, in any premise which is, or may in the future be served by the facilities of the District and which is, or may in the future be responsible for design and construction of facilities to be under the jurisdiction of the Administrator and to become a part of the public utilities system of the District.
- 3.11 "Newport News Water System" shall mean any water supply, treatment or distribution facilities owned and/or operated by the City of Newport News Department of Public Utilities.

- 3.12 Hampton Roads Sanitation District Commission is the designation for the Regional Agency which will provide interceptor sewers and sewage disposal facilities for the Sanitary District.
- 3.13 "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- 3.14 "Sanitary Sewage" shall mean that water carried waste which derives principally from dwellings, business buildings, institutions, industrial establishments and the like, exclusive of any storm and surface waters.
- 3.15 "Sewer" shall mean a pipe or conduit for carrying sewage.
- 3.16a "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by the Sanitary District.
- 3.16b "Public Sanitary Sewer" is a public sewer carrying "sanitary sewage".
- 3.17 "Sewage Treatment Plant" shall mean any arrangements of devices and structures used for treatment of sewage.
- 3.18 "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- 3.19 "Shall" is mandatory; "May" is permissive.
- 3.20 "Dwelling Unit" shall mean a separately maintained quarters with facilities for sleeping and/or cooking.
- 4.00 POLICY
- 4.01 The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, constructed subsequent to the passage of these Rules and Regulations and situated within the District at a distance not greater than 250 ft. from any street, alley or right-of-way in which there is located a District owned sanitary sewer or water main, shall be required to install suitable toilet and other disposable liquid waste facilities therein, and to connect such facilities directly with the public sewer, and shall connect sources of water use to the public water main, when the District provides the necessary lines to the property line.
- 4.01a Subsequent to the passage of these regulations no person shall make connection to the facilities of the Newport News Water Department or to the facilities of the Hampton Roads Sanitation Commission without the written approval of the Board. The regulations of the Newport News Water Department and the Hampton Roads Sanitation District Commission shall supersede any conflicting provisions of this ordinance.

- 4.01a) All facilities constructed by Developers, as outlined below, shall first become the property of the "District" and the District will have the right and the responsibility to transfer ownership to other agencies as required by contractual agreements between the District and any other agency.
- 4.01b) Structures completed before the passage of these regulations must comply with the requirements of Section 4.01 with respect to sewage within six months after service is available and must connect to the water system at such time as the well or other source of water is condemned by the County Health Department, or within 12 months after service is available, whichever occurs sooner.
- 4.01c) Any person failing to comply with the provisions of Section 4.01, 4.01a, or 4.01b shall be guilty of a misdemeanor and shall be subject to a fine not to exceed \$50.00 for each such offense. Each day of such failure shall constitute a separate offense.
- 4.02) The developer of any new subdivision intended for residential or commercial use or any combination thereof, or the developer of any industrial site shall construct all sanitary sewers and domestic fresh water distribution lines within his subdivision or development at his own expense. Immediately upon completion and acceptance of the construction work, the sanitary sewer and water facilities with necessary easement shall become the property of the District.
- 4.03) Where a public water main or sanitary sewer is not available to a new subdivision or development, the developer shall construct necessary water mains and construct and connect his sanitary sewers to one or more suitable private sanitary sewage pumping stations which shall discharge into a public sanitary sewer. Sufficient easements shall be provided. Immediately upon completion and acceptance of such construction works, the water or sewer works system together with all necessary easements and right-of-ways shall become the property of the District.
- 4.04) Where construction of an offsite trunk or lateral sewer or water line is deemed to be either necessary, feasible or advisable to connect the applicable systems of the subdivision or development to the suitable facilities of the District, the financial responsibility, location and details of such construction shall be determined in conference by the developer and Administrator. Any and all agreements so established shall be in writing and acknowledged by both the developer and the Administrator. Each such proposed item of offsite construction shall be a separate matter for discussion and agreement.
- 4.05) The Administrator shall, in conjunction with the Engineers, review and approve, or revise if necessary to conform with standards acceptable to the Administrator, as hereinafter specified, prepared plans for all projects for developing, extending and/or constructing water mains and sanitary sewer lines, and all pertinent connections, structures and accessories proposed thereto within the District, or those

lying outside the District which will connect to the facilities of the District, prior to any construction of such projects.

- 4.06 Materials, workmanship and procedures used in work shall be in accordance with the standards and specifications established or approved by the Board.
- 4.07 During progress of the work, the Administrator or the duly authorized Engineers, inspectors or others who are directly concerned with the work shall have access to the locations of construction for the purpose of establishing to their satisfaction that the projects are being construction to District requirements and in accordance with approved plans and specifications.
- 4.08 After completion of the facilities, and on written request of the developer or owner responsible for the construction, the Administrator shall make a final comprehensive inspection of the completed projects and shall be satisfied as to conformance to plans and specifications before accepting the facilities to become a part of the public utilities system of the District.
- 4.09 Any developer or owner who proposes to submit application to the Administrator for review and approval of plans and specifications for construction of facilities classified hereinafter in Items 2, 3, 4, Section 4.11, shall be required to procure from the Administrator, and shall acknowledge in writing, the receipt of same prior to submitting his application, one (1) set of this publication of Sanitary District Rules and Requirements, together with one (1) copy of drawings showing detailed construction standards approved by the Board for use in the District. The administrator shall be obligated to furnish this one (1) set of publication and drawings at no cost, on a bona-fide request.
- 4.10 Additional sets of the publication and drawings may be supplied by the Administrator to any recipient of the one free set, at a cost of \$5.00 per set.
- 4.11 Application for Services

The Administrator shall accept, review and render decision on applications for water and sanitary sewer service to the premises described in the application from any person, group of persons, firm, corporation or association, who are owners of or legally represent the owners of land or who are tenants of land within the District.

The Administrator reserves the right to approve, revise, request additional data, design or information on, or to disapprove any such application or plans pertinent thereto, which in the opinion of the Administrator is to the best interest of the District.

- 4.11.1 Applications for water or sewer service for existing or proposed new individual or multiple dwelling or commercial establishment to which the District service facility is immediately adjacent and available, shall be made in duplicate on a form prescribed and furnished by the Administrator for the purpose of such application and each form shall be accompanied by measurements, maps, drawings, and such other data that will clearly establish and indicate the physical location within or with respect to District of the premise for which the application is submitted and location on the premise of the service or services applied for.
- 4.11.2 (a) Where service is desired for either water or sewer facilities, or both, for any individual building or group of buildings, whether intended for use as residential or commercial purpose and which are not classified as being the development of a new subdivision, or section thereof, and which will require the design and construction by the owner of new trunk lateral or principal lines and any necessary appurtenances thereto in order to reach and connect onto applicable existing facilities of the District and which such new construction in its entirety shall ultimately be accepted as an integral part of the facilities of the District, application shall be made in writing to the Administrator.
- (b) Such application, stipulated in (a) above, shall be accompanied by four (4) sets of detailed plans showing accurate plans and profile design drawings of the lines and location, design and identification of all appurtenances and accessories pertinent thereto. It is preferable that such plans show on the same sheet, the plan and profile design of the contiguous sections of street or easement and proposed utility as is indicated by the application.
- (c) The design and detailed plans stipulated in (b) above, and all subsequent revisions thereof, shall be prepared and properly signed by a Civil Engineer registered in the Commonwealth of Virginia.
- 4.11.3 (a) Where construction of water and sanitary sewer facilities is proposed by a developer or owner of any new residential subdivision or commercial area or any combinations thereof, and which facilities shall ultimately be accepted into the jurisdiction of the administrator as a part of the public utilities system of the District, application for review of the design and plans for all such proposed construction shall be made in writing to the Administrator.
- (b) Such application stipulated in (a) above, shall be accompanied by: (1) Four prints of the record plat of the subdivision or applicable section thereof which shall bear the approval of the Board. (2) Four sets of detailed plans showing accurate plan and profile design drawings, the proposed lines and the location, design and indication of all their appurtenances and accessories. It is preferable that such plans shown on the same sheet, the plan and profile design of the contiguous section of new street or easement and proposed water and/or sewer facilities. The design and detailed plans stipulated immediately above and all subsequent revisions thereof, shall be prepared and

properly signed by a Civil Engineer registered in the Commonwealth of Virginia. (3) If any facilities other than pipe lines and their appurtenances are proposed by the applicant or required by the Administrator for the complete and satisfactory operation of the proposed utilities, such as water storage or pumping equipment, sewage treatment plants, sewage pumping stations, or other like equipment, the application shall be accompanied by four sets of detailed plans and specifications on design, equipment, materials and construction of such facilities.

The plans and specifications stipulated immediately above and all subsequent revisions shall be prepared and properly signed by a Civil Engineer registered in the Commonwealth of Virginia.

- 4.11.4 (a) Application for proposed water and sewer facilities to serve any type of industrial establishment within the District shall be made in writing to the Administrator.

Complete information regarding plant location, type of industry, raw and finished products, approximate volume of utility requirements, types of industrial wastes to be discharged, proposed facilities for pre-treatment of industrial wastes and other data pertinent to the industry, shall be accompanied by the application.

(b) The applicant for water and sanitary sewer services to serve industrial establishments shall conform to the requirements for application for same as is outlined in Item 1 or Item 2 (b) hereinbefore in this Subsection, as may be governed by the location of the proposed industrial site.

(c) Any design, plans and specifications, required as stipulated in (b) above, and all subsequent revisions thereof, shall be prepared and properly signed by a Civil Engineer registered in the Commonwealth of Virginia.

#### 4.12 Disposition of Applications

- 4.12.1 On receiving application as prescribed hereinbefore in 4.11.1, the Administrator will approve with or without revision, or disapprove the application and return one of the submitted forms to the applicant so marked to indicate the action taken by the Administrator.

Construction of any such approved service facilities shall conform strictly with the returned application form and notations indicated thereon by the Administrator.

- 4.12.2 On receiving application as prescribed hereinbefore in 4.11, the Administrator will review all data, design, plans and/or specifications and indicate thereon any revisions, additions, changes, or deletions, as is considered necessary in order that the proposed construction shall conform to the standards and best interest of the District. One (1) marked set of the submitted plans and/or specifications shall be returned to the applicant.

After receiving the returned set of plans and/or specifications, the applicant shall prepare revised plans and/or specifications to conform with such revisions indicated by the Administrator and submit four (4) sets of the revised plans and/or specifications to the Administrator.

On receipt of the revised plans and/or specifications, the Administrator shall check them for conformity with the initially marked revisions. If satisfactory, one of the revised sets of plans and/or specifications shall be returned to the applicant with written approval for construction.

Construction of any public utility facility under the jurisdiction of the District, and all its appurtenances and accessories, shall be in strict conformance with the final approved set of plans and/or specifications stipulated in paragraph immediately above.

- 4.12.3 In the event that an applicant desires to deviate from the plans and/or specifications which have been approved by the Administrator for construction, or to make any changes or revisions therein, the applicant shall make such request to the Administrator in writing and state the reasons for his request.

Revised plans, specifications and other substantiating data, shall accompany the request in such manner, form and quantity as was required for the original application.

The procedure for all parties concerned for processing any such request for deviation from, or changes and revisions in initially approved plans and/or specifications for construction shall be the same as stipulated for the original application for the project.

#### 4.13 As-Built Plans

After completion of construction of the public utility facilities from approved plans on any project hereinbefore classified in 4.11.2, 3, or 4, the developer or owner responsible for the construction shall prepare as-built plans, based on accurate, field-obtained information, to show actual conditions of the finished construction. The as-built plans shall be revisions in and permanently indicated changes on the original tracings or master sheets from which were made the plans and/or specifications approved by the Administrator for construction.

The as-built plans shall show, but may not be limited to, the following:

##### 4.13.1 Water Line Construction:

(a) Scale accuracy location in plan of the line and all installed fittings, such as elbows, tees, crosses, and reducers, and all cradle encasement, or special construction.

(b) Exact measurements to show positive location of all house services valve boxes, blind or blank-flanged fittings and plugged terminals of lines.

The measurements taken for these positive locations shall be taken from at least two reasonable adjacent and available, fixed and permanent objects such as fire hydrants, centers of sanitary or storm sewer manhole casting covers, corners or lines extended of buildings, power poles etc.

In lieu of recording the positive locations indicated above, on the plans the Administrator will accept such locations shown by neat legible and separate no-scale sketches with all measurements thereon, when all such sketches or diagrams are recorded in a progressive sequence and clearly identified in a hard cover, permanently bound field type note book.

(c) Other requirements as may be in use by the Newport News Water Department.

#### 4.13.2 Sewer Line Construction

(a) Scale accuracy location of manhole invert and top casting elevations and numerical notation of the exact elevations of same as determined by field survey after construction. Elevations shall be in datum of the District.

(b) Scale accuracy indication of lengths and grades of lines between manholes and numerical notation of the exact lengths and grades, as determined after construction.

(c) Scale accuracy location of concrete cradle, encasement or special construction.

(d) Location of house services by measurement from the manhole immediately downgrade.

#### 4.13.3 Sanitary Sewage Treatment Plants and Pumping Stations, Water Pumping Stations, all other comparable construction and building structures.

(a) As-built plans and specifications shall accurately indicate all approved deviation from or changes in location or type of equipment installed and material used.

(b) Accurate listings of the name of the manufacturer of all operating equipment installed, together with model or style numbers, ratings, capacities and other pertinent information shall be provided as part of the as-built plans on the project.

(c) At least three (3) complete sets of operation and maintenance manuals of all operating equipment, and all Certificates of Inspections, Approvals, Warranties and Guarantees of equipment, materials and installations thereof, required by the project specifications which were approved by the Administrator shall be provided as a part of the as-built plans on the project.



#### 4.14

#### Final Inspections

At the completion of construction of any project of public utility facilities on any project hereinbefore classified in Items 2, 3, or 4, Section 4.11, the developer or owner responsible for the construction shall notify the Administrator, in writing, that the work has been completed. Together with the notification of completion, there shall be submitted to the Administrator all as-built plans, specifications and such other data and addenda relative thereto which is required hereinbefore in Section 4.13.

On receipt of the notification and as-built requirements, the Administrator shall make a final comprehensive inspection of the constructed facilities, examining in detail for conformance of the work with approved plans and specifications, alignment of sewer lines, infiltration leakage, workmanship, operation of equipment, and other factors to the satisfaction of the Administrator and best interest of the District.

It shall be required that a responsible representative of the developer or owner accompany the Administrator on the final inspection. The developer or owner shall furnish whatever labor is necessary for conducting the final inspection.

Deficiencies which are found to exist during the inspection shall be pointed out to the developer or owner's representative. Subsequent to the inspection, the developer or owner shall be furnished, in writing, a summary of the deficiencies found and corrections of which are required.

On notification that all construction deficiencies have been completed, the Administrator will inspect all such work.

#### 4.15

#### Acceptance of New Construction

##### 4.15.1

The Administrator shall accept new constructed water and sanitary sewer service facilities, classified hereinbefore in Items 2, 3, and 4, Section 4.11 on satisfaction of the following conditions:

(a) That all requirements of the foregoing Section 4.14 have been fulfilled in the opinion of the Administrator.

(b) That all matters relative to specific contracts between the developer or owner and the Administrator are in order.

(c) That payment has been made by the developer or owner for all fees relative to applications and inspections.

(d) That a Civil Engineer registered in the Commonwealth of Virginia certifies that the work has been completed in accordance with the approved plans and specifications.

(e) That explicit understanding exists between developer or owner and the Administrator that the developer or owner shall be responsible for and obligated to correct any deficiencies in construction for a period of one year from the date of acceptance of the facilities by the District. This condition shall be stipulated in the written form of acceptance issued by the Administrator.

- 4.15.2 Acceptance of the new constructed facilities, when approved by the Administrator, shall be made in writing to the developer or owner responsible for the construction.

The issuance of the written form of acceptance of any such facilities shall constitute an unrevocable agreement between the developer or owner responsible for construction and the Administrator that the Board, acting for the District and any of its officers, agents, servants or employees shall be saved harmless by the developer or owner from liability and responsibility of any nature and kind for costs of, or payments on labor, equipment, or material used in construction of the accepted facilities or on account of any patented or unpatented invention, process, article or appliance manufactured for or used in construction of, or for the intended operation of the accepted facilities.

- 4.16 Fees  
See 5.00 and 6.00

- 4.17 Use of Sanitary Sewers

- 4.17.1 No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters into any public sanitary sewer.
- 4.17.2 Except as hereinafter provided, or under conditions specifically approved and detailed, in writing, by the Administrator, no person shall discharge or cause to be discharged into any public sanitary sewer any of the following described water or wastes:
- (a) Any water or waste might may contain more than one hundred (100) parts per million, by weight, of fat, oil or grease.
  - (b) Any garbage resulting from preparation, cooking and dispensing of food which has not been shredded in equipment approved by the Administrator.
  - (d) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(e) Any waters or wastes having a pH value lower than 5.5 or higher than 9.0 or having a high temperature, any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(f) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans, or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(g) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(h) Any noxious or malodorous gas or substance capable of creating a public nuisance.

4.17.3 Grease, oil and sand interceptors shall be provided by the owner, when in the opinion of the Administrator, they are necessary for the proper handling of liquid wastes containing such ingredients or any other of a flammable or harmful nature; except that such interceptors shall not be required for private living quarters or dwelling units.

All interceptors shall be of a type and capacity approved by the Board. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas and watertight.

Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

4.17.4 The admission or proposed admission into the public sewers of any waters or wastes resulting from any industrial or manufacturing process, products or comparable activity shall be subject to the review and approval of the Administrator.

When necessary, in the opinion of the Administrator, the owner of any such industrial or manufacturing establishment shall provide, at his expense, such preliminary treatment of his industrial waters or wastes as may be required to reduce objectional characteristics or constituents or to satisfy any other condition which the Administrator may decide is advisable in order to allow the admission of such waters or wastes into the sanitary sewers.

Plans and specifications and any other pertinent information relating to required or proposed preliminary treatment facilities shall be submitted for the review and approval of the Administrator. No construction of any such facilities shall be started until such approval has been obtained in writing.

5.00 WATER DIVISION

5.01a The Sanitary District shall levy a quarterly charge to each user of the water system. The charge shall be adequate to pay all expenses of the District in connection with the water system, including the cost of amortizing any capital expenditures by the District for water facilities.

The monthly charge by the Sanitary District shall be in addition to and separate from the water charges by the Newport News Water Department. Water users shall pay both the Newport News water bills at established rates and the District charge. The District monthly charge for water shall be called an "Amortization Charge" to distinguish this charge from that of the Newport News Water Department.

5.01b The District water users will be required to pay Newport News prevailing rates at all times. For general information the water rates in effect by the Newport News Water Department on the date of initial adoption of this ordinance are as follows:

SCHEDULE OF MINIMUM CHARGES

Meter Size	Water Allowance (Cu. Ft.)		Minimum Charge	
	Monthly	Quarterly	Monthly	Quarterly
5/8"	500	1,500	\$ 2.40	\$ 7.20
3/4"	600	1,800	2.86	8.58
1 "	1,100	3,300	5.16	15.48
1 1/2"	2,100	6,300	9.48	28.44
2 "	3,500	10,500	14.94	44.82
3 "	6,600	19,800	26.61	79.83

UNIT WATER RATES

	Monthly	Quarterly	Rate
First	500 C. F.	1,500 C. F.	\$0.48 per 100 C. F.
Next	1,200 C. F.	3,600 C. F.	0.46 per 100 C. F.
Next	4,300 C. F.	12,900 C. F.	0.39 per 100 C. F.
Next	24,000 C. F.	72,000 C. F.	0.32 per 100 C. F.
Next	30,000 C. F.	90,000 C. F.	0.21 per 100 C. F.

It is to be noted that the Newport News Water Department's current operating policy shall apply to all users in the District and shall be in addition to regulations contained herein.

5.01c Sanitary District bills called "Amortization Charge" shall be rendered by the Sanitary District to each water user each quarter. The initial District "Amortization Charges" for the water system shall be as follows:

5.01d Minimum Quarterly Charge by District

<u>Meter Size</u>	<u>Water Utility Charge</u>
5/8"	\$ 7.50
3/4"	9.00
1 "	10.50
1-1/4"	15.00
1-1/2"	21.00
2 "	30.00
3 "	45.00
4 "	60.00
6 "	120.00

5.01e Where a single water meter is used to serve multiple water users such as motels, hotels, schools, institutions, mobile home parks and other multiple users as allowed by the Newport News Water Department, the District shall establish a separate amortization charge for each user.

The initial quarterly charges by the District for typical multiple users, in addition to the meter minimums outlined above, shall be as follows: (Quarterly)

For Multi-Family Apartments	\$7.50 per apartment unit
For Motels and Hotels	1.50 per room
For Mobile Home Parks	6.60 per occupied mobile home space
For Schools	1.50 per pupil

5.01f The District shall levy a charge above the minimum meter charge for all commercial and industrial users. Applicable charges will be established from time to time. Initial charges for typical commercial users (in addition to the minimum meter charge) shall be as follows: (Quarterly)

Hospitals and Nursing Homes	\$2.00 per room
Small Commercial (10 employees or less)	0.45 per employee
Large Commercial (10 or more employees)	0.30 per employee
Restaurants	0.60 per seat
Service Stations	2.00 per delivery hose
Manufacturing	To be negotiated

5.02 Turn on Charge

Reconnection of water service at customers' request: Charges will be made by the Newport News Water Department at prevailing rates. All outstanding bills must be paid in full before water service is reinstated. No charge for turn on where required in normal service operations or for repairs or alterations to plumbing systems on private property.

Water Availability Charges

There shall be a water availability charge, payable to the District at the time application is made for connection to the water distribution system. The District will, in turn, pay applicable charges to the Newport News Water Department.

(a) <u>Meter Size</u>	<u>Availability Charge</u>
5/8"	\$ 200.00
3/4"	250.00
1 "	300.00
1 1/4"	400.00
1 1/2"	500.00
2 "	600.00
3 "	1,200.00
4 "	2,000.00
5 "	2,600.00
6 "	3,500.00

The above availability charges and those shown in the detailed schedule below shall apply during the first two years after the water system is placed into operation. After the end of the first two years, the availability charges shall be increased by \$150.00 for each size meter.

(b) A building under one roof, owned or leased by one party, and occupied as one business or residence, the availability charge will be according to meter size or as otherwise stated herein.

(c) Duplex House (defined as having two dwelling units under one roof), the availability charge shall be \$200.00 for the first unit and \$200.00 for the additional unit.

(d) Multi-family Dwellings (defined as a dwelling containing three or more units) - The availability charge shall be \$320.00 for the first dwelling unit and \$150.00 for each dwelling unit in addition to the first unit.

(e) Motels, Tourist Cabins and Tourist Courts, where multiple units or cabins use a single water service connection, there shall be an availability charge of \$320.00 for the first dwelling unit and for each dwelling unit in addition to the first unit the charges shall be:

For a 0 - 50 Unit Installation	\$50.00
For a 51 - 100 Unit Installation	35.00
For an over 100 Unit Installation	25.00

(f) Trailer Parks and Mobile Home Parks - The availability charge shall be the cost for the meter as shown in 5.03a above plus a charge of \$50.00 for each trailer or mobile home space or trailer lot in addition to the first trailer or mobile home space or lot.

(g) Shopping Centers and Commercial Groups (where two or more stores or commercial establishments are grouped together to form a complex having one water connection and meter for the entire group) - The availability charge shall be \$350.00 for each separate store or rental space within the complex.

(h) Subdivision Developments (where water distribution mains have been installed at the expense of the developer in accord with standards of the District and such mains dedicated to and accepted by the District) - The availability charge shall be \$100.00 for a 5/8" meter and \$120.00 for a 3/4" meter.

(i) Restaurants - The availability charge shall be \$350.00 base charge, plus \$10.00 per seat.

(j) Filling Stations - The availability charge shall be \$350.00 base charge, plus \$50.00 per delivery hose.

(k) Schools - The availability charge shall be \$500.00, plus \$15.00 per pupil.

(l) Hospitals and Institutions - The availability charge shall be \$500.00, plus \$15.00 per bed.

(m) Subsequent to the approval of the initial application for such water service connections outlined above, no service shall be provided for any additional single or multiple units or spaces before the availability fee or fees are paid therefore.

(n) After the end of the first two years, the availability charge for all units shall be increased by \$150.00 for the first unit and by 50% for all additional units.

(o) Where the above schedule of availability charges is not applicable to an application for water service, the proposed service shall be investigated by the Administrator and/or the committee. The Administrator and/or the committee, upon completion of its investigation, shall recommend to the Board a fair and equitable availability charge to be assessed to the applicant.

5.04 The availability charge applies to work done up to the meter and material and labor in setting the meter, whether at the property line or on the premises.

5.05 Meter Charges

There shall be a deposit of ten (10) dollars made at the time application for water service is made.

5.06 Grace Period and Penalty

The grace period for payment of all bills shall be thirty (30) calendar days. At the expiration of this time, a penalty of ten (10) percent of the total bill may be incurred. Water Service shall be disconnected if District bills are due over 60 days.

5.07 In all cases where there are delinquent charges due the District, the Owner of record of the property shall be held responsible or liable for payment of these outstanding accounts.

5.08 Unpaid water charges shall become a lien on land and property served by the water line as provided in the Code of Virginia, Section 21-118.4(e).

5.09 Pro Rata Bills

Customers requesting discontinuance or establishing new accounts for service shall be billed by the District on the number of months or part there of the billing period when service was provided.

5.10 Installation and Care of Meters

5.10.1 Water meters for new customer services shall be installed on the premises where practicable in a location which will assure against freezing or damage. They shall be installed as near as possible to the point of entry of the water service pipe. Customers shall be responsible for cost of repairs from meter to premises.

5.10.2 Water meters installed on the premises shall be used with an outside reading device installed in a location agreeable to the District and the property owner.

5.10.3 Water meters installed on the premises shall not be covered or so obstructed as to prevent ready access for maintenance or repairs.

5.10.4 After proper installation of water meters, all meters shall be sealed by the District, which seal or seals shall not be broken except by authority of the District.

5.10.5 No water meter shall be moved or relocated except by District employees.

5.10.6 Meters which cannot be installed on the premises will be installed at or near the property line.



5.10.7 The District shall not be held responsible for water damage caused by burst water meters or connections.

5.10.8 In case of meter damage causing leakage, the customer may shut off the water at the valve at the end of the service line.

6.00 SEWER DIVISION

6.01 All users of the District sewer system shall pay sewer service charges to the Hampton Roads Sanitation District at their established rates. In addition, the Sanitary District of James City County shall levy a quarterly charge to each user of the District sewer system adequate to pay all expenses of the District in connection with the sewer system, including the cost of amortizing any capital expenditures by the District for sewerage facilities.

The quarterly charge by the District shall be in addition to and separate from the sewer charges by the Hampton Roads Sanitation District. The District charges shall be called an "Amortization Charge" to distinguish this charge from that of the Hampton Roads Sanitation District.

6.01a The District users will be required to make direct payment to the Hampton Roads Sanitation District at their prevailing rates at all times. For general information, the sewer rates in effect by the Hampton Roads Sanitation District at the date of initial adoption of this ordinance are as follows:

HAMPTON ROADS SANITATION DISTRICT

RATE SCHEDULE FOR SEWAGE DISPOSAL SERVICE

\*EFFECTIVE JANUARY 1st, 1962

Charges for sewage disposal service based upon the water consumed on the premises as measured by the meter or meters, used for this purpose:

	<u>Per Quarter</u>	<u>Per Month</u>
For the first 1,300 cubic feet or less per quarter, or for the first 400 cubic feet or less per month (minimum charge).....	\$2.60	\$0.85
	<u>Per Hundred Cubic Feet</u>	
For the next 7,700 cubic feet per quarter or 2,600 cubic feet per month.....	\$0.175	

• NOTE: The charges by H. R. S. D. as shown herein are applicable on this date; however, a rate increase is expected in the near future.

Per Hundred Cubic Feet

For the next 90,000 cubic feet per quarter or 30,000 cubic feet per month.....	\$0.15
For the next 900,000 cubic feet per quarter or 300,000 cubic feet per month.....	0.1225
For all over 999,000 cubic feet per quarter or 333,000 cubic feet per month.....	0.0875

Quarterly charges for sewage disposal service for premises with unmetered water connections based upon the number of flush toilets in use: First toilet \$2.60 (minimum); second toilet \$1.75 additional; each additional toilet \$1.50.

An advance charge of \$4.00 will be made on and after January 1, 1962 for all quarterly new accounts; for all accounts for which a different owner or tenant becomes responsible; and for all accounts where water service is resumed after having been discontinued for non-payment of sewage disposal charges. Advance charges will be refunded for any account which shall not have been delinquent for eight (8) consecutive quarters after January 1, 1962, provided written application therefor is made by the customer.

Premises not discharging the entire volume of water into the sewers will be allowed a reduction in charge provided the customer installs, at his expense, a meter or meters, or other positive means of measurement, satisfactory to the Commission, of the volume either discharge or not discharged into the sewers.

Customers using private water supplies may be required to install, at their own expense, a meter or other device for determining the volume of sewage discharged into the sewers.

Wastes of domestic, industrial, garbage or other origin discharged into the system and which have characteristics that add unduly to the cost of maintenance and operation will be subject to the following surcharges:

Suspended Solids - For excess over 300 parts per million 10% of regular charges for each additional 200 parts per million or fraction thereof.

Biochemical Oxygen Demand - For excess over 250 parts per million 10% of regular charges for each additional 150 parts per million or fraction thereof.

Unusual characteristics of wastes will be surcharged for in keeping with such special rates as shall be adopted by the commission.

Where the operations subject to surcharge are of a normal and usual type, surcharge shall be made based on the normal characteristics of wastes from such operations as available from industrial, chemical or engineering tests or other references appropriate to the field. For unusual wastes or where otherwise indicated, the Commission may make or require to be made, at the customer's expense, such tests as will provide adequate basis for the surcharge to be made.

Pretreatment before discharge or elimination of the discharge may be required if in the opinion of the Commission the type of waste and/or the manner of discharge is such as to be detrimental to either transmission or treatment structures or processes.

6.01b Sewer Service Charges by the District

The District Sewer System bills (called, "Amortization Charge") shall be rendered by the Sanitary District to each sewer user quarterly. The initial District minimum quarterly charges for sewer service shall be as follows:

Single Family Residence	\$ 10.50/Family Unit
Multiple Family Residence	10.50/Living Unit
Mobile Home Parks	9.00/Unit
Hotels and Motels	10.00/First Unit and 1.50/Each Additional Room
Hospitals and Nursing Homes	20.00/First Unit and 3.00/Each Additional Room
Public Schools	50.00/Minimum Plus 0.30/Pupil
Small Commercial (10 Employees or less)	15.00/Minimum Plus 0.45/Employee
Large Commercial (over 10 Employees)	20.00/Minimum Plus 0.30/Employee
Restaurants	15.00/Minimum Plus 0.60/Seat
Service Stations	15.00/Minimum Plus 1.50/Delivery Hose
Manufacturing	To be negotiated

6.02 Sewerage Availability Charge

There shall be a sewer availability charge, payable to the District, at the time application is made for connection to the District sewerage system as follows:

(a) Initial Connections - Single Residence = \$150.00

(b) The sewer connection charge for all connections made after the first two years of operation shall be increased \$250.00 per unit for single family units and for the first unit of each class structure in the following schedule.

(c) A building under one roof, owned or leased by one party, and occupied as one residence, the availability charge shall be \$150.00.

(d) Duplex House (defined as having two living units under one roof) - The availability charge shall be \$150.00 for the first dwelling unit and \$150.00 for the additional unit.

(e) Multi-family Dwelling (defined as a dwelling containing three or more dwelling units) - the availability charge shall be \$250.00 for the first dwelling unit and \$100.00 for each dwelling unit in addition to the first unit.

(f) Motels, Tourist Cabins and Tourist Courts where multiple units or cabins use a single sewerage service connection, there shall be an availability charge of \$250.00 for the first dwelling unit and for each dwelling unit in addition to the first unit the charge shall be:

For a 0 - 50 unit installation	\$50.00
For a 51 - 100 unit installation	35.00
For an over 100 unit installation	25.00

(g) Trailer Parks and Mobile Home Parks - the availability charge shall be \$250.00 for the first trailer space or lot and \$50.00 for each trailer space or trailer lot in addition to the first trailer space or lot.

(h) Subdivision Developments (where sewerage mains and service laterals have been installed at the expense of the developer in accordance with standards of the District, and such mains and service laterals dedicated to and accepted by the District) - the availability charge shall be \$100.00 per private residence.

(i) Restaurants - the availability charge shall be \$250.00 plus a charge of \$15.00 per seat for 0-100 seat installations and \$10.00 per seat for installations with more than 100 seats.

(j) Filling Stations - the availability charge shall be \$250.00 for an installation with two delivery hoses and \$100.00 for each additional delivery hose.

(k) Schools - the availability charge shall be \$600.00 plus \$20.00 per pupil.

(l) Shopping Centers and Commercial - the availability charge shall be \$250.00 for each store or rental space in the commercial complex.

(m) Hospitals and Institutions - the availability charge shall be \$600.00 plus \$20.00 per bed.

(n) Subsequent to the approval of the initial application for such sewer service connections outlined above, no service shall be provided for any additional single or multiple unit or spaces before application is made by the owner and approved by the District and the availability fee or fees are paid therefor.

(o) Where the above schedule of availability charges is not applicable, service shall be investigated by the Administrator and/or the Committee. The Administrator and/or the Committee, upon completion of the investigation, shall recommend to the Board a fair and equitable availability charge to be assessed to the applicant.

(p) All availability charges noted above shall be increased after the end of the first two years of operation of the sewer system by an amount of \$250.00 for the first unit and 50% for all additional units.

#### 6.03 Grace Period and Penalty

The grace period for payment of all bills shall be thirty (30) calendar days. At the expiration of this time, a penalty of ten (10) percent of the total bill may be incurred. Sewer service shall be disconnected if District bills are due over 60 days.

In all cases where there are delinquent charges due the District, the owner of record of the property shall be held responsible or liable for payment of these outstanding accounts.

The property owner remains responsible for all the service line from the street right-of-way to the premises. Any leak or break occurring at any point on the service line shall be repaired immediately by a plumber. Wilful failure to repair such leak or break may result in a penalty rate per day from date leak or break was first detected.

6.04 Unpaid sewer charges shall become a lien on land or property served by the sewer line as provided in the Code of Virginia, Section 21-118.4(e).

#### 6.05 Pro Rata Bills

Customers requesting discontinuance or establishing new accounts for service shall be billed by the District on the number of months or part thereof in the billing period when service was provided.

#### 7.00 GENERAL

7.01 Right of Entry of Administrator and Agents

The Administrator or his duly authorized agent including the Newport News Water Department shall have the authority to enter at reasonable times any lot or house wherein District water or sewer service is used to determine if there is any waste of water, malfunctioning systems and to inspect the plumbing.

7.02 Authority of Administrator to Regulate Use of Water During Emergency

Whenever the public water supply diminishes to the extent that in the judgement of the Administrator, the public health, safety and welfare are in danger, he may declare the existence of a water emergency. Whenever such emergency is declared, the public shall be notified by the publication of an emergency proclamation once a day throughout the area served, or by the distribution of printed circulars in the area served. Such proclamation shall contain all the rules and regulations governing the use of water throughout the length of such period, and anyone violating any of the provisions thereof shall be guilty of a misdemeanor.

7.03 Molesting, Injuring Fire Hydrants, Fire Plugs, etc.

It shall be unlawful for any person to deface or injure any stopcock valve, fire plug, or public hydrant, sewer manhole, pipes, or anything connected with the District's waterworks or sewage works, or throw or deposit any building material, rubbish or other matter on the stop box of a service pipe, valve box, fire plug, meter, sewer line, manhole, or cover up either with dirt or other material, or to remove or injure any cap or screw of a stop box, valve, fire plug, meter, manhole or hydrant or open any of them, or in any way molest them without authority from the Administrator, except that in case of fire or when cleaning the fire hose, firemen are authorized to use the fire plugs and in cleaning or sprinkling streets, or for other District purposes, the fire plugs, valves, etc. may be used by employees of the District under the direction of the Administrator.

7.04 Water for Air-Conditioning

It shall be unlawful for anyone to install in one building an air conditioner, any refrigerating device, or any device of any kind which uses District water for cooling purposes or to replace any such existing air conditioner, refrigerating device or such other device or equipment unless such air conditioner, refrigerating device or other such device or equipment is used in conjunction with a recirculating mechanism which is designed to reuse not less than 90% of the water used for cooling, except that in any one building one air conditioner, one refrigerating mechanism or one other such device using District water and having a capacity of three tons or less may be installed without such recirculating mechanism.

7.05 District Employees to Make Connections to Water Mains or Sewer Mains.

It shall be unlawful for anyone to make any connection with the water or sewer mains of the District Water or sewer systems except employees of the District or the Newport News Water Department, under the supervision of the Administrator. Any person violating the provisions of this section shall be guilty of a misdemeanor.

7.06 Turning Water on at Meter or Property Line

It shall be unlawful for anyone other than District employees or the Newport News Water Department or plumbers with permission to turn on water service at the water meter or property line connection.

8.00 PENALTY FOR VIOLATIONS

Any person violating any of the prohibitions contained in this ordinance shall be guilty of a misdemeanor, punishable by a fine not in excess of \$500.00, or by confinement in jail not more than six months or by both such fine and imprisonment.

9.00 SEVERABILITY

Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

10.00 EFFECTIVE DATE

The effective date of this ordinance shall be August 9, 1971.