

**UNICOI WATER UTILITY DISTRICT  
PO BOX 8  
UNICOI, TN 37692  
PHONE# (423) 743-6202**

**I**

**RULES AND REGULATIONS TO BE A PART OF CUSTOMER'S CONTRACT:** Water will be furnished subject to rules and regulations of the Board of Commissioners of the Unicoi Water Utility District, which rules and regulations, as well as any rules and regulations hereinafter amended, modified, or promulgated, are made a part of every application, contract and agreement, entered into between the property owner or customer and the District.

**II**

**DEFINITIONS:**

**A. CUSTOMER:** The word "Customer" will be used in these rules and regulations to designate a person, firm, or corporation, contracting with the District for the furnishing of water to property, classified as follows:

- (1) A building under one roof and ownership and occupied by one business or as a single-family residence.
- (2) One or more buildings on a single tract of land, all under one ownership and occupied by a single family or business.
- (3) One side of a double house having a solid vertical partition wall.
- (4) A building under one roof and one ownership, but which contains a number of apartments or offices.
- (5) A private water line owned and operated by a customer for his/her individual use only ( only one residence or business served).

**B. SERVICE CONNECTIONS:** The words "Service connections" will be used in these rules and regulations to designate the water tap on the water main together with that portion of the line extending from the tap to the meter, the meter yoke, and the meter box.

- (1) In cases where it is necessary to set the meter on the private property of the customer, and easement will be obtained, together with the right of ingress and egress to the meter for the purpose of reading of servicing the same.
- (2) All water service lines and meters shall be of sufficient size to be compatible with the service needed, in the opinion of the District, for the furnishing of ample water to said customers.
- (3) The meter and cut-off valves shall at all times be owned by the District.

**C. RESIDENTIAL TAP:** Hardware and pipe to install a 5/8" meter.

**D. COMMERCIAL TAP:** Hardware and pipe to install 1" or larger.

**E. CONNECTION FEE:** Connection of a 2" or larger water line to a distribution or transmission water main.

**III**

**APPLICATION REQUIRED FOR WATER SERVICE:** Any applicant for water service shall file with the District or some designated representative, a written application requesting water service, together with the current service fee. If water service is not available to applicant's property, this fee will be refunded. If service is available, the customer will be notified and he/she shall pay the required, non-refundable, tap fee prior to the installation of the tap and meter. In the event that a tap already exists on the applicant's property, a tap fee will not be required. However, in either case, the current fee paid upon requesting service, shall be retained as a refundable deposit required of all new customers. Also, a non-refundable service fee will be charged in addition to the deposit.

## RULES AND REGULATIONS

### IV

**MONTHLY CHARGE FOR WATER USAGE:** The District will have a minimum charge per month for each residential customer regardless of the amount of water used. The owners of mobile home parks and apartment buildings that have more than one single family residence that are serviced by a commercial meter (2"), shall be assessed a minimum charge for each occupied unit and will be billed for water used in excess of minimum allowances. The park or building owners will be responsible for keeping the District informed of the number of occupied units so billing will be accurate. Owners will be responsible for collecting water fees from tenants. For other non-residential commercial users such as motels, restaurants, shops, etc., that require a commercial meter, (2"), will be billed at the prevailing user water rate. The District will adjust the water rates as necessary to offset operating costs. For quantities above the usage qualifying for the minimum bill, rates shall be established by the District.

### V

**METER DEPOSIT:** The District will require a deposit of new customers. Should the account be closed by either the Customer or District, any outstanding bill will be deducted from the deposit. Any remaining deposit will be refunded to the Customer. In addition, a one-time non-refundable charge will be assessed as an activation fee.

### VI

**DISTRICT IS RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF METERS AND SERVICE LINES:**

A. The District shall be responsible for installing and maintaining all meters and service lines running from the main water line to the meter. The District shall be liable for any injury to person or property occasioned by the negligence of the District in installing and maintaining said service lines and meters or in otherwise maintaining the waterworks of said District.

B. Any water meter questioned by the customer will be removed and tested. If a defect is found in the meter, it will be replaced with a new one and the customer's bill will be adjusted by the Utility. If no defect is found, the customer will be charged a meter testing service charge as determined by the District.

### VII

**DISTRICT'S RIGHT TO REFUSE SERVICE:** The District shall have the right to refuse water service resulting from any causes whatsoever beyond the control of the District and the District shall not be liable for damages for failure to furnish water for any cause or causes beyond its control.

### VIII

**DISTRICT MAY ALLOCATE WATER AMONG CUSTOMERS:** The District shall have the right, in the case of an emergency, water shortage, or for any other reason that the District may deem proper, to allocate the amount of water used by each customer.

### IX

**RESPONSIBILITY FOR LINE ON CUSTOMER'S SIDE OF METER:** The customer shall be responsible for and bear the expense of installing and maintaining the house line on the customer's side of the meter and will be responsible for any water losses due to faulty lines or plumbing. The customer is required to install a "cut-off" valve in the line near the meter.

## RULES AND REGULATIONS

### X

#### **LOCATION AND SERVICE EASEMENT FOR METER TO BE PROVIDED BY**

**CUSTOMER:** When it is necessary, the customer will provide, at no cost, a suitable place for the location of a meter upon customer's property and will give an easement to the District for any property of the District located upon the customer's land.

### XI

**RESPONSIBILITY FOR CUSTOMER'S NEGLIGENCE:** The customer shall be liable for any damage incurred to the District's property resulting from customer's negligence. A minimum "Tampering Fee" has been established by the board. The customer will be responsible for total cost in excess of minimum fee.

### XII

**DISTRICT MAY SPECIFY WATER USAGE:** The District shall, in its discretion, specify how and what uses may be made of water purchased by customer; and if the customer fails to comply with the uses so specified, customer shall be subject to having his water service forthwith terminated.

### XIII

#### **DISTRICT MAY DETERMINE RESPONSIBILITY FOR EXPENSE OR EXTENSIONS:**

In the event the District shall see fit to extend any main line of its waterworks, the District shall, upon considering all circumstances, determine whether a customer or customers shall bear the expense of this extension.

### XIV

**DISTRICT MAY LIMIT EXTENSION OF WATER MAIN:** The District shall, at all times, have the right to place discretionary limitations on the extension or extensions of any water main within the district.

### XV

**PROCEDURE UPON CUSTOMER'S REMOVAL FROM METERED LOCATION:** In the event a customer removes himself or his business from a metered location at which is receiving water, he shall, if at all possible, give the district 10 days notice of his intention to move. The customer shall be responsible for payment of water consumed up to the date his service is terminated. In the event a customer desires to move to a new location within the district, he/she shall be considered a new customer, paying a tap fee if there is no existing tap, and also a service charge.

### XVI

#### **METER READING, BILLING, LATE CHARGES AND TERMINATION OF SERVICE:**

The meters in the District shall be read the last week of each month or as close thereto as possible, considering work load and weather. The customer should receive a bill not later than the 25<sup>th</sup> of the same month, for water used up to the date said meter was read. If the customer fails to receive a bill, he/she is still responsible to pay all bills on time. The customer shall be required to pay his/her bill not later than 3:00PM, on the "DUE DATE",

shown on the bill. The customer's failure to pay by the above stated time and date, shall constitute a penalty, and an additional ten percent shall be added to the bill. Service is subject to disconnection without notice if payment is not received by the day after the due date. There will be a service fee for reconnection after all outstanding bills are paid. Customer will be responsible for any damage to Utility property. If a Customer's water is cut off for non-payment, and the Customer cuts water back on themselves before the bill and the reconnection fee is paid, an additional charge of \$35.00 will be added to the total amount due. If a customer cuts their water back on a second time, the meter tampering fee of \$750.00 will apply. (SEE RULE XI)

## RULES AND REGULATIONS

### XVII

#### **AUDIT, PUBLICATION OF WATER RATES AND ANNUAL FINANCIAL STATEMENT:**

In accordance with the provisions of Tennessee Code Annotated Para, 7-82-401, as it now stands and it may be amended from time to time, the commissioners of the District, shall cause an annual audit to be made, shall publish its water rates and shall publish an annual financial statement.

### XVIII

**BEGINNING OF CHARGES:** All water charges begin when the meter is installed.

### XIX

**INVOLUNTARY SUSPENSION OF SERVICE:** Upon involuntary suspension of service by the District for any reason, hereinbefore the meter service charge shall not be used to satisfy any unpaid water bills.

### XX

**DISTRICT'S POWER TO PRORATE AMOUNT OF WATER:** The District shall have the discretionary power to prorate the amount of water each customer receives. The District shall also have the discretionary right to place any reasonable restrictions it may see fit upon customers' uses of water and the District shall have the discretionary power to set a schedule of hours in which water shall be made available for customer use. (ALSO SEE RULE VIII)

### XXI

#### **HEARINGS OF COMPLAINTS OR REQUESTS FOR BILL ADJUSTMENTS:**

A. The Utility Manager of the District may hear any complaints or requests for bill adjustments by a customer or customers, will render an opinion unfavorable to a customer or customers, the customer shall have his/her further remedy by law.

B. The following procedure will apply to adjustments on high water bills due to leaks:

(1) If a leak develops in utility equipment, service line, meter, meter yoke, etc., that causes the customer's bill to be excessive, the utility Manager will make the necessary repairs and adjustments at no cost to the customer. (SEE RULE II-B).

(2) If a leak develops on the customer's side of the meter due to faulty underground lines, house plumbing, commode valves or hot water heaters, the customer will be responsible for the water loss. (SEE RULE IV). The customer may, however, appear before the Manager and request an adjustment.

(2a) The Manager will determine if the customer was diligent in repairing the leak.

If repairs are not made in a timely manner as determined by the Manager, especially when the leak is excessive, an adjustment may not be granted. The Manager has full ruling in determining if the repairs to a leak have been made in a timely manner.

(2b) If a customer has an excessive leak (as determined by the Manager of the Utility) so that it affects the overall performance of the system, the Manager may turn off the meter to that customer until repairs are made.

(2c) The maximum adjustment that can be made is 10% of the total bill, before sales tax, once in a twelve month period and after all repairs have been made. If an adjustment is approved by the Manager, the balance of the bill, if any, is due immediately.

(2d) If a customer has a water bill that exceeds \$500 due to an excessive water leak, the customer shall pay the first \$500, and the remaining amount of the water bill will be calculated at the cost per gallon that Erwin Utilities charges the Unicoi Water Utility District for purchasing water.

(2e) If a customer has a leak due to vandalism or other malicious acts resulting in a water bill over \$500, and supplies a police report to the board, they will be given a 25% adjustment on the bill, before sales tax, one time in a twelve month period.

(2f) The Manager will consider extreme hardship cases if necessary.

## RULES AND REGULATIONS

### XXII

#### **CROSS-CONNECTIONS, AUXILIARY INTAKES, BY-PASSES, AND**

**INTERCONNECTIONS:** The policy concerning cross-connections, auxiliary intakes, by-passes and interconnections are as follows:

(1) That the following definitions and terms shall apply in the interpretation and administration of this policy.

**PUBLIC WATER SUPPLY:** The water works system of the Unicoi Water Utility District furnishing water to the customers for general use and which supply is recognized as the public water supply by the Tennessee Department of Public Health.

**CROSS-CONNECTIONS:** Any physical connection whereby the public water supply is connected with any other water system whether public or private, either inside or outside, or any building or buildings, in such 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 valves, or because of any other arrangement.

**AUXILIARY INTAKE:** Any piping connection or other device whereby water may be secured from a source other than that approved and normally used.

**BY-PASS:** Any system of piping or other arrangement whereby the water may be diverted around any part or portion of a water purification system.

#### **INTERCONNECTION:**

(1) Any system of piping or other arrangement, whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain sewage or other waste, or liquid which would be capable of importing contamination to the public water supply.

(2) That no person shall cause a cross connection, auxiliary intake, by-pass or interconnection to be made, or allow one to exist for any purpose whatsoever unless the construction and operation of same have been approved by the Tennessee Department of Public Health, and the operation of such cross-connection, auxiliary intake, by-pass or interconnection is at all times under the direct supervision of the Board of Commissioners.

(3) That any persons premises are supplied with water from the public water supply and who also has on the same premises a separate source of water supply or stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall file with the Board of

Commissioners, a statement of the non-existence of unapproved or unauthorized cross connections, auxiliary intake, by-passes or interconnections. Such statement shall also contain an agreement that no cross-connection, auxiliary intake, by-pass or interconnection will be permitted upon the premises until the construction and operation of same have received the approval of the Tennessee Department of Public Health. And the operation and maintenance of same have been placed under the direct supervision of the Board of Commissioners.

(4) That any person who now has cross connections, auxiliary intakes, by-passes, or interconnections in violation of this policy shall be allowed a reasonable time within which to comply with the provisions of this policy. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time shall be designated by the utility manager.

(5) Whenever any person neglects or refuses to comply with any of the provisions of this policy, the utility manager shall discontinue the public water supply service at any premises upon which there is found to be a cross-connection, auxiliary intake, by-pass, or interconnection, and service shall not be restored until such cross connection, auxiliary intake, by-pass, or interconnection has been discontinued.

(6) **WARNING:** Tampering with any property or equipment of the Unicoi Water Utility District's, is a federal offence, **US CODE TITLE 42, SECTION 300i-I.**

## **RULES AND REGULATIONS**

### **XXIII**

**RIGHT TO DISCONTINUE SERVICE TO MAKE REPAIRS:** The District shall have the right to discontinue service for the purpose of making any repairs that may be necessary to the main line, service line, reservoir, pump, or cut-off valves and meters.

### **XXIV**

**RIGHT OF INSPECTION:** The District reserves the right to make an inspection of the plumbing installations on the customer's premises upon giving reasonable notice to said customer. Said inspection will be made for the use and benefit of both the customer and the District during reasonable daylight hours.

### **XXV**

**AMENDMENTS SHALL BE PERMITTED:** The foregoing rules and regulations may be amended, modified, enlarged upon or otherwise changed at any time a majority of the commissioners deem same necessary.

### **XXVI**

**FOREGOING RULES AND REGULATIONS HAVE BEEN ADOPTED BY PROPER RESOLUTION:** The District has, by proper resolution, adopted the foregoing as the rules and regulations for the Unicoi Water Utility District.

### **XXVII**

#### **TESTING OF REDUCED PRESSURE BACKFLOW PREVENTERS**

Testing of such devices shall be tested at least annually by a qualified person possessing a valid certification from the Tennessee Department of Environment and Conservation, Division of Water Supply for the testing of such devices. A record of this test will be on file with the Unicoi Water Utility District and a copy of this report will be supplied to the customer. Water service shall not be disrupted to test a device without the knowledge of the occupant of the premises. The Unicoi Water Utility District will have a contractor with a certificate of

competency to test the backflow prevention devises on the system. The cost of the test plus a \$10.00 administrative fee will be assessed to the customer.

Kevin R. Kist CHAIRMAN

Walter Z. Brown TREASURER

Sharon McEllan SECRETARY

ATTEST: Sharon McEllan SECRETARY

I, Sharon McEllan, Secretary of the Unicoi Water Utility District, existing under the laws of the State of Tennessee, hereby certify that the foregoing is a true copy of the rules and regulations as amended as of 6-14-2016 which have been duly adopted.

Amendment No. 1, 06/14/2016