

DESCRIPTION OF LEGAL ADVERTISING

Bill #795
 3349008

TERMS: Please pay from this invoice. It is due upon presentation and is past due after 15 days.

Legal Ad. Cost 16.80
 Extra Proofs _____
 Notary Fee 2.00
 Total Amt due 18.80

Washoe County Clerk
 Charlotte James
 P. O. Box 11130
 Reno, NV 89520

MONTH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
September																	x							x							

PROOF OF PUBLICATION

STATE OF NEVADA, SS. Doris Mertz
 COUNTY OF WASHOE

being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice of City Ordinance

_____ of which a copy is hereto attached, was first published in said newspaper in its issue dated the 17th day of Sep, 1984 and, Sep 24, the full period of 2 days, the last publication thereof being in the issue of September 24 1984.

Signed Doris Mertz

Subscribed and sworn to before me this 24th day of September, 1984

Alice L. Buffalo
 Notary Public

ALICE L. BUFFALO
 Notary Public - State of Nevada
 Washoe County
 My Appointment Expires June 5, 1985

NOTICE OF COUNTY ORDINANCE
 NOTICE IS HEREBY GIVEN that Bill No. 795, Ordinance No. 622, entitled "An ordinance establishing a schedule of rates and charges for provision of sanitary sewer by Washoe County within the Washoe Valley Meadows Subdivision and its service area; requiring the Department of Public Works to submit billings to all sanitary sewer users within the service area; and requiring payment thereof; and providing procedures for its enforcement," was adopted on September 11, 1984, by Commissioners Williams, King, Lillard, McDowell, and Ritter. Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
 Judi Bailey
 County Clerk
 3349008-Bill #795
 Sept. 17, 24-ic133

PLEASE STAMP & SIGN FOR PAYMENT

SUMMARY: Adopts a schedule of rates and charges for provision of sewage service within the Washoe Valley Meadows Subdivision service area and providing procedures for its enforcement.

BILL NO. ~~---~~ 795

ORDINANCE NO. ~~---~~ 622

AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES FOR PROVISION OF SANITARY SEWER BY WASHOE COUNTY WITHIN THE WASHOE VALLEY MEADOWS SUBDIVISION AND ITS SERVICE AREA; REQUIRING THE DEPARTMENT OF PUBLIC WORKS TO SUBMIT BILLINGS TO ALL SANITARY SEWER USERS WITHIN THE SERVICE AREA; REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT

THE BOARD OF WASHOE COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN;

ARTICLE 1 GENERAL PROVISIONS

1. Short Title. This ordinance may be cited as "Washoe Valley Meadows Subdivision Sewer Service Area Sewer Service Charge Ordinance".

2. Enabling Statutes. This ordinance is adopted pursuant to NRS 244.366 and 318.205.

3. Enterprise. Pursuant to Washoe County Ordinance No. 586, the developers of Washoe Valley Meadows Subdivision will construct and dedicate to the County a system used for the collection of domestic wastewater, including all parts of the enterprise, all appurtenances thereto, and lands, easements, rights in land, contract rights and franchises.

4. Separability. If any section, subsection, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstances is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared to be unconstitutional.

5. Relief on Application. When any person by reason of special circumstances, is of the opinion that any provision of this ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board stating the special circumstances, citing the provision complained of,

and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

6. Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for any such premises during the period of such special circumstances, or any part thereof.

7. The County shall send out bills for sewer service used for which no payment has been received. The County shall use these current rates for determining the payments used.

ARTICLE 11 - DEFINITIONS

1. Additional Definitions. For the purpose of this ordinance, additional terms shall have the meanings indicated in Chapter 1 of the latest edition of the Uniform Plumbing Code as prepared by the International Association of Plumbing and Mechanical Officials.

2. Applicant shall mean for the Person, Business or governmental agency making application for a permit for a sewer or plumbing installation or to discharge wastewater into any sewer.

3. Application shall be a written request for sewer service as distinguished from an inquiry as to the availability of, or charges for such services.

4. Area shall be the Washoe Valley Meadows Subdivision Sewer Service Area.

5. Billing Period shall be the period for which a billing is made. For residential services, it may be an average quarter and need not coincide with three consecutive calendar months (i.e. may be billed on a cycle of between 90 and 92 days). For all other services, it may be for an average month and need not coincide with the calendar month (i.e. may be billed on a cycle of 28 to 31 days).

6. Board shall mean the Board of County Commissioners.

7. Building shall mean any structure used for human habitation or a place of business, recreation or other purpose

requiring wastewater disposal services.

8. Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer. The building drain extends three (3) feet outside the inner face of the building wall.

9. Building Sewer shall mean that portion of any sewer beginning at the building drain and extending to the property line or to a private sewage disposal system.

10. Collection System shall mean the system of sewers, manholes, pump stations and appurtenances receiving liquid wastes from buildings and premises for transmission to the treatment facility.

11. Contractor shall mean an individual, firm, corporation, partnership or association duly licensed by the State of Nevada to perform the type of work to be done under the Permit.

12. County shall mean the County of Washoe, Nevada.

13. County Sanitary Engineer shall mean the Engineer appointed and acting for the County and shall be a Registered Civil Engineer in the State of Nevada.

14. Cubic Foot is the volume of water which occupies one cubic foot. The cubic foot is equal to 7.481 gallons.

15. Customer shall mean the person in whose name service is rendered as evidenced by his signature on the application or contract for that service, or, in the absence of a signed instrument, by the receipt and payment of bills regularly issued in his name regardless of the identity of the actual user of the service.

16. Date of Presentation shall be the date upon which a bill or notice is either postmarked or hand delivered to the Customer.

17. Domestic Wastewater shall mean the spent water from building water supply to which has been added the waste materials of bathroom, kitchen and laundry.

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

19. Fixture shall mean any sink, tub, shower, water closet or other facility connected by drain to the sewer.

20. Gallon is the volume of water which occupies 231 cubic inches.

21. Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

22. Inspector shall mean an individual designated to inspect facilities which are the subject of this ordinance.

23. Lateral Sewer shall mean the portion of a public sewer lying within a public street connecting a building sewer to the main sewer.

24. Law is any statute, rule or regulation established by Federal, State, County or Municipal authorities.

25. Living Unit shall mean any residence, apartment, or other structure to be occupied for habitational purposes by a single person or family and requiring wastewater disposal services.

26. Main Sewer shall mean a public sewer designed to accomodate more than one lateral sewer.

27. May is permissive (see "shall", Sec. 46).

28. Natural Outlet shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.

29. Outside Sewer shall mean a sanitary sewer beyond the limits of the Sewer Service Area not subject to the control or jurisdiction of the County.

30. Permanent Service is a service which, in the opinion of the County Sanitary Engineer, is of a permanent and established character. The use of the sewer may be continuous, intermittent or seasonal in nature.

31. Permit shall mean any written authorization required pursuant to this or any other regulation of the Service Area for the installation or operation of any wastewater works.

32. Person shall mean any individual, firm, company, partnership, association, corporation or group.

33. Plant shall mean the sewage treatment plant constructed by the developers of Washoe Valley Meadows Subdivision and dedicated to the County.

34. Plumbing Outlet shall mean any part of a plumbing system to which a fixture is attached.

35. Plumbing System shall mean all plumbing fixtures and traps; all soil, waste, vent pipes, and all sanitary sewer pipes within a building and the building drain.

36. Premises shall mean all of the real property and services to a single integrated activity operating under one name to one or more buildings, locations or services, provided: (a) such buildings, locations or services are to a single unit of property; or (b) such buildings, locations or services are on two or more units of property immediately adjoining, except for intervening public highways, streets, alleys or waterways.

37. Private Sewer shall mean a sewer serving an independent wastewater disposal system not connected with a public sewer and which accommodates one or more buildings or industries.

38. Properly Shredded Garbage shall mean garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2-inch in any direction.

39. Public Sewer shall mean a sewer lying within a public highway, road, street, avenue, alley, way, public place, public easement or right of way and which is controlled by or under the jurisdiction of the County.

40. Residential Service shall mean service to a customer in a single family, mobile home or building, or in an individual flat, condominium, or apartment in a multiple family dwelling, or building or portion thereof occupied as the home, residence or sleeping place of one or more persons.

41. Sanitary Sewer shall mean a sewer which carries liquid and water carried wastes from residences, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

42. Service Connection. The point of connection of the Customer's piping with County's facilities.

43. Sewage is the spent water of community. The preferred term is "wastewater", Sec. 52.

44. Sewer shall mean a pipe or conduit that carries wastewater.

45. Side Sewer shall mean the sewer line beginning three (3) feet outside the foundation wall of any building and terminating at the main sewer and shall include the building sewer and lateral sewer together.

46. Shall is mandatory (see "May" Sec. 27).

47. Standby User Fee: A standby user fee shall be assessed against all approved lots within the service area which do not have a residential service. The basis for establishing the standby user fee shall be the sum of the projected fixed costs associated with the plant and collection system divided by the

number of approved lots within the Washoe Valley Meadows Subdivision service area. The standby user fee shall become effective at the time of plant start up.

48. Storm Sewer or Storm Drain shall mean a sewer which carries storm water, groundwater, subsurface water, or unpolluted water from any source.

49. Storm Water shall mean excess water entering sewers during rainfall, snowfall, or following and resulting therefrom.

50. Unpolluted Water is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation or receiving water quality standards and would not benefit by discharge to the sanitary sewers and wastewater treatment facilities provided.

51. Washoe Valley Meadows Subdivision Service Area: All that certain lot, piece or parcel of land situate in the County of Washoe, State of Nevada, described as follows:

PARCEL 1:

Beginning at a point which is situated South $0^{\circ}19'$ West, 104.5 feet from the North quarter corner of Section 11, Township 16 North, Range 19 East, M.D.B. & M.; thence South $0^{\circ}19''$ West, 1990 feet; thence North $89^{\circ}13'$ West, 4684.5 feet; thence North $0^{\circ}14'$ East 666 feet; thence North $89^{\circ}02'$ West 1407 feet; thence North $0^{\circ}19'$ East 1048.3 feet along the East line of the right of way of the Virginia and Truckee Railway Company; thence North along the East line of the Virginia and Truckee Railway Company's right of way on a curve to the right having a radius of 901.58 feet to a point which is North $6^{\circ}27'$ East 200 feet distant from the said last mentioned point; thence South $89^{\circ}54'$ East 6070.9 feet to the point of beginning. Being in Sections 10 and 11, of Township 16 North, Range 19 East, M.D.B. & M.

EXCEPTING THEREFROM that portion lying East of the West line of U.S. 395 as described in Final Order of Condemnation recorded June 22, 1971 under Document No. 209756 for the State of Nevada.

ALSO EXCEPTING THEREFROM all abutter's rights or easements of access to and from U.S. 395 as disclosed by said Order of Condemnation.

PARCEL 2;

Commencing at the Northwest corner of Section 10, Township 16 North, Range 19 East, M.D.B. & M., as shown on Record of Survey No. 895 as filed in the Official Records of Washoe County, Nevada; thence South $0^{\circ}31'46''$ West, 464.00 feet; thence South $89^{\circ}54'31''$ East, 1313.68 feet to the point of beginning for this description; thence North 382.10 feet; thence South $89^{\circ}22'54''$ East, to the Westerly right of way of abandoned Virginia and

Truckee Railroad right of way; thence along said Westerly right of way on a curve to the left having a tangent bearing of South $11^{\circ}23'45''$ West, a radius of 967.58 feet, a central angle of $11^{\circ}45'48''$, and an arc length of 198.65 feet; thence South $0^{\circ}22'03''$ East, 174.27 feet to a fence; thence along said fence South $89^{\circ}15'45''$ West, 433.88 feet to the point of beginning. Situate in the Northwest quarter of said Section 10.

Reference is made to Record of Survey for Melvin A. and Lenard D. Robison, as filed in the Official Records of Washoe County, Nevada, in May 1978.

PARCEL 3:

Commencing at the Northwest corner of Section 10, Township 16 North, Range 19 East, M.D.B. & M., as shown on Record of Survey No. 895 as filed in the Official Records of Washoe County, Nevada, thence South $0^{\circ}31'46''$ West, 464.00 feet; thence South $89^{\circ}54'31''$ East, 1228.75 feet to the Easterly right of way of old U.S. 395; thence along said Easterly right of way on a curve to the right having a tangent bearing of North $10^{\circ}48'17''$ West, a radius of 2460.0 feet, a central angle of $8^{\circ}59'28.5''$, and an arc length of 386.04 feet; thence along a barb wire fence, South $89^{\circ}22'54''$ East, 574.90 feet to the Westerly right of way of abandoned Virginia and Truckee Railroad right of way and the point of beginning for this description; thence continuing South $89^{\circ}22'54''$ East, 53.98 feet; thence South $89^{\circ}59'33''$ East, 13.32 feet to the Easterly right of way of said Virginia and Truckee Railroad right of way; thence along said right of way following a curve to the left having a radial bearing of South $78^{\circ}36'15''$ East, a radius of 901.58 feet, a central angle of $12^{\circ}34'19''$, and an arc length of 197.83 feet; thence South $0^{\circ}22'03''$ East, 1048.31 feet to a point on the Northerly line of Lot 1, Bellevue Ranches, Unit No. 1, Map No. 1131, Official Records of Washoe County, Nevada, thence North $89^{\circ}02'39''$ West, 33.30 feet; thence North $0^{\circ}05'14''$ East, 36.37 feet; thence North $0^{\circ}22'03''$ West, 837.12 feet; thence South $89^{\circ}15'45''$ West, 33.00 feet to the Westerly right of way of said railroad; thence along said right of way North $0^{\circ}22'03''$ West, 174.27 feet; thence along a curve to the right having a radius of 967.58 feet, a central angle of $11^{\circ}45'48''$, and an arc length of 198.65 feet to the point of beginning.

PARCEL 4:

Commencing at the Northwest corner of Section 10, Township 16 North, Range 19 East, M.D.B. & M., as shown on the Record of Survey No. 895, as filed in the Official Records of Washoe County, Nevada; thence South $0^{\circ}31'46''$ West, 464.00 feet; thence South $89^{\circ}54'31''$ East, 1228.75 feet to the Easterly right of way of old U.S. 395 and the point of beginning for this description; thence along said Easterly right of way on a curve to the right having a tangent bearing of North $10^{\circ}48'17''$ West, a radius of 2460 feet, a central angle of $8^{\circ}59'28.5''$, and an arc length of

386.04 feet; thence along a barb wire fence, South $89^{\circ}22'54''$ East, 124.08 feet; thence South $0^{\circ}08'49''$ West, 382.10 feet to a Stone & Webster Monument; thence North $89^{\circ}54'31''$ West, 80.72 feet to the point of beginning. Situate in the Northwest quarter of said Section 10.

Reference is made to Record of Survey for Melvin A. and Lenard D. Robison, as filed in the Official Records of Washoe County, Nevada, in May 1978.

PARCEL 5:

All that certain piece or parcel of real property situate in the County of Washoe, State of Nevada, being a portion of Sections 10, 11, 14, and 15, Township 16 North, Range 19 East, M.D.B. & M., described as follows:

Commencing at the West Quarter Section Corner of Section 10, in said Township and Range;
 thence South $86^{\circ}49'22''$ East a distance of 1753.22 feet to a point on the Easterly right-of-way line of U.S. Highway 395; thence leaving said Easterly right-of-way line and along the South line of William Brent Road, as said road is shown on the Official Plat of Bellevue Ranches Unit No. 1, filed in the Office of the County Recorder of Washoe County, Nevada on September 30, 1969, as Document No. 155451, South $88^{\circ}56'00''$ East a distance of 2594.28 feet, to the true point of beginning; thence leaving Southerly line of said road and proceeding South $00^{\circ}07'22''$ West 5.00 feet; thence south $00^{\circ}03'30''$ East, 2,881.77 feet; thence South $88^{\circ}51'22''$ East 3,840.79 feet to a point on the Westerly line of the Reno-Carson City Freeway, a Nevada State highway; thence along said Westerly line, North $09^{\circ}07'14''$ West 2,994.62 feet; thence leaving said Westerly line and proceeding, North $88^{\circ}52'36''$ West 2,313.95 feet to a point on the Easterly line of a dedicated County Roadway; thence along said Easterly line South $07^{\circ}05'24''$ East 50.52 feet to the beginning of a curve to the left, the tangent of which bears North $88^{\circ}52'36''$ West; thence along said curve, having a central angle of $91^{\circ}09'15''$, a radius of 30.00 feet through an arc length of 47.73 feet; thence South $69^{\circ}23'18''$ West 64.09 feet to the beginning of a curve to the left, the tangent of which bears North $00^{\circ}01'51''$ West; thence along said curve, having a central angle of $89^{\circ}05'43''$, a radius of 50.00 feet through an arc length of 77.75 feet; thence North $89^{\circ}07'34''$ West 921.28 feet to the true point of beginning.

Reference is made to REcord of Survey No. 370015, filed for record in the Office of the County Recorder, Washoe County, Nevada on October 22, 1962.

52. Wastewater shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

53. Wastewater Facilities shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic wastes and dispose of the effluent.

54. Wastewater Treatment Works shall mean an arrangement of devices and structures for treating wastewater and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

55. Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE III. CONNECTION

Connection Charges. The following charges are hereby established and shall be collected prior to final map approval by the Board or at the time of issuing the permit for a sewer connection which ever occurs first:

- A. Single Family Unit. Persons desiring connection to the sanitary sewer system of the Service Area shall pay to the County connection charge at the following rates:

Residents within the Washoe Valley Meadows Subdivision Service Area	No Fee
Future Annexations into Service Area	\$3,500

ARTICLE IV. USER CHARGE SCHEDULE

1. Service Charges. Any users of the Service Area's sewerage facilities shall pay to the County a sewer service charge in accordance with the following schedule:

- A. Residential User. For each family occupying a single family unit the following charges shall apply:
- (1) Single Family - \$186.00 per quarter.
 - (2) Standby user fees - \$128.00 per quarter.
- B. Failure to Receive Bill. Failure to receive a bill does not relieve a customer of the obligation to pay for services received.
- C. Checks Not Honored by Bank. Checks presented in payment of bills which are returned by a bank shall

be treated as though no payment has been made. Redemption of returned checks may be required to be by cash or equivalent. The customer shall reimburse the County for any returned check fees charged by a bank to the County.

D. Checking Fee.

1. Any applicant, customer or developer requiring approval of plans by the County, or desiring plan checking shall pay to the County the following fee or fees.

A minimum of \$200 plus \$5 per lot for all lots in excess of 40 within the subdivision.

2. If any portion of the plans after being checked are required to be redrawn or rechecked, the applicant shall pay the additional cost of checking based upon the actual expenses of the rechecking service. No plan checking will be done until the required fee is paid.

3. In the case of rechecking, the fee shall be based upon an estimated cost of the service, and payment in excess of costs will be returned to the applicant.

E. Structure Under Construction. For the purposes of this ordinance, until a structure has installed plumbing fixtures the structure shall be considered under construction and disconnected from the sewer system. Only standby user charges will be levied against the parcel until such time that connection to the collection system is made.

F. Review of Sewer Service Charges. The Board shall annually review the service charges set out in Article III and IV and determine that the charges are adequate to meet the costs of operating the wastewater treatment facility.

ARTICLE V. BILLING AND COLLECTION

1. Billing. The regular billing period will be for a ninety (90) day period for all residential customers and thirty (30) days for all other customers.

2. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be prorated based

on actual days of connection.

3. Billing Time. Bills for sewer service shall be rendered at the beginning of each billing period and are payable upon presentation.

4. Penalties. Accounts not paid within 30 days of presentation are delinquent and shall be charged a ten dollar (\$10.00) late payment processing fee plus a penalty of 15% A.P.R. on the outstanding balance. Accounts of Customers who pay at least one-third of their total quarterly bill within thirty days of receipt of the bill, one-half of the balance within the next thirty days, and the balance within the last thirty days shall be exempted from any penalties.

5. Represents Lien on Property. Until paid, all rates, tolls and charges provided in this ordinance constitute a perpetual lien on and against the property served and may be foreclosed upon as provided by law.

6. Collection by Suit. As an alternative to any of the other procedures herein provided, the County may bring an action against the customer for the collection of the amount of the delinquent rate and all penalties and costs of collection including a reasonable attorney's fee.

ARTICLE VI. DISPUTED BILLS

1. Disputed Bills. In the case of a dispute between a Customer and the County as to the correct amount of any bill rendered by the County for sewer service furnished to the Customer, the Customer will deposit with the County the amount claimed by the County to be due.

2. Failure to Make Deposit. Failure on the part of the Customer to make such deposit within fifteen (15) days after written notice by the County that such deposit be made or service may be discontinued, shall warrant the County in discontinuing the service to the Customer without further notice.

3. Arbitration of Dispute. In the event of dispute between the Customer and the County respecting any bill, charge or service, the County shall forthwith make such investigation as shall be required by the particular case, and report the result thereof to the Customer. In the event that the complaint cannot be satisfactorily adjusted, the County or the Customer may make application to the County for adjustment of the complaint, and the County shall notify the Customer in writing or otherwise that he has the privilege of appeal to the Board.

ARTICLE VII. DISCONNECTION

1. Customer's Request for Discontinuance of Service. A Customer may have service discontinued by giving not less than five (5) days advance notice thereof to the County. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required five (5) days advance notice.

When such notice is not given, the Customer will be required to pay for service until five (5) days after the County has knowledge that the Customer has vacated the premises or otherwise has discontinued sewer service.

2. Discontinuance of Service by County.

A. For Nonpayment of Bills. A Customer's service may be discontinued for nonpayment of a bill for service furnished if the bill is not paid within fifteen (15) days after presentation, provided the County has given the Customer at least five (5) days prior notice of such intention.

Premises to which charges have become delinquent may be disconnected from the sewer system. The County shall estimate the cost of disconnection of such premises and the cost of reconnection thereto, and such user shall deposit the cost as estimated of disconnection and reconnection before such premises are reconnected to the sewer system. The amount of the cost of disconnection and reconnection over the deposit shall constitute a charge and be collected as such. The amount of the deposit not used shall be repaid or applied as a deposit.

B. For Noncompliance with Rules. The County may discontinue service to any Customer for violation of these rules after it has given the Customer at least five (5) days written notice of such intention. Where safety of water supply is endangered, or the discharge to the sewer is dangerous to public safety, service may be discontinued or curtailed immediately without notice.

C. For Infiltration or Illegal Connections. Where negligence, infiltration, illegal connection or discharge of harmful wastes into the collection system, on or from a Customer's premises occurs, the County may make such corrections as may be indicated at Customer's expense, if such practices are not remedied within five (5) days after it has given the Customer written notice to such effect.

D. For Unsafe Apparatus or Where Service is

Detrimental or Damaging to the County or its Customers. If any unsafe or hazardous condition is found to exist on the Customer's premises, or if the sewage or waste therefrom, by apparatus or illegal or prohibited connections, apparatus, equipment or otherwise, is found to be detrimental or damaging to the County or its Customers, the service may be discontinued without notice. The County will notify the Customer immediately of the reasons for the discontinuance and the corrective action to be taken by the Customer before service can be restored.

- E. For Fraudulent Use of Service. When the County has discovered that a Customer has obtained service by fraudulent means, or has altered the sewer service for unauthorized use, the service to that Customer may be discontinued without notice. The County will not restore service to such Customer until that Customer has complied with all filed rules and reasonable requirements of the County and the County has been reimbursed for the full amount of the service rendered and the actual cost that the County incurred by reason of the fraudulent use.

3. Restoration of Service.

- A. To be Made During Regular Working Hours. The County will endeavor to make reconnections during regular working hours on the day of the request, if conditions permit; otherwise, reconnection will be made on the regular working day following the day the request is made.
- B. To Be Made At Other Than Regular Working Hours. When a Customer has requested that the reconnection be made at other than regular working hours, the County will reasonably endeavor to so make the reconnection if practicable under the circumstances, but will be under no obligation to do so, unless an emergency exists.

4. Refusal to Serve.

- A. Conditions for Refusal. The County may refuse an Applicant for service under the following conditions:
- (1) If the Applicant for service is not within the boundaries of the Service Area.
 - (2) If the intended use of the service is of such a nature that it will be detrimental or injurious to existing Customers.


- (3) If the Applicant fails to comply with any of the rules as approved by the Board.
- (4) If, in the judgment of the County, the Applicant's installation for utilizing the service is unsafe or hazardous or subject to freezing, or flooding, or of such nature that satisfactory service cannot be rendered.
- (5) Where service has been discontinued for fraudulent use, the County will not serve an Applicant until it has determined that all conditions of fraudulent use or practice have been corrected.
- (6) When the collection lines or treatment facilities do not have capacity or the capability to receive and treat sewage or liquid waste without contamination of the receiving waters, or in violation of Health Department or discharge permit requirements.

B. Notification to Customers. When an Applicant is refused service under the provisions of this rule, the County will notify the Applicant promptly of the reason for the refusal to serve and of the right of the Applicant to appeal the County's decision to the Board.

Proposed on the 24th day of July, 1984.
 Proposed by Commissioners Williams, King, Lillard, McDowell & Ritter
 Passed on the 11th day of September, 1984.

Vote:

Ayes: Commissioners: Williams, King, Lillard, McDowell & Ritter
 Nays: Commissioners: None
 Absent: Commissioners: None


 BELIE WILLIAMS
 Chairman of the Board

ATTEST:


 JUDI BAILEY, County Clerk

This ordinance shall be in force and effect from and after the
24th day of September, 1984.