

PUBLIC WORKS COMMITTEE

AGENDA

TOWN OF CHINCOTEAGUE

October 14, 2008 – 5:00 pm – Council Chambers – Town Hall

CALL TO ORDER

ROLL CALL

PUBLIC PARTICIPATION

AGENDA ADOPTION

1. September 2008 report
2. Goals and objectives discussion
3. Water ordinance discussion
4. No Parking Signage/Curb Painting Across from Bowling Alley
5. Street Light Addition for Leonard Lane
6. Committee member comments

Public Works Projects September 2008

Public Works Administration

- Organized items and prepared bid package for surplus sale. The closing date for bids on these items is October 17.
- Devoted significant time to organizing work load analysis information and goals and objectives organization.
- Received funds (\$2,585) from the DEQ litter and recycling grant. This is a noncompetitive grant that we have been getting for a number of years that is used to defray our expenses for cardboard recycling and periodic clean-up programs.
- Completed a code enforcement action for a construction entrance on Maddox Boulevard.

Roads

- Continued concrete work on Church Street. Town staff contributed significant demolition work and contractor installed approximately 360 linear feet of sidewalk, 6 entrances and 2 ADA ramps.
- Installed 80 feet of new sidewalk near the intersection of School and Church Streets.
- Replaced 13 street name or regulatory signs. Continued review of needed sign repairs, replacements or additions island-wide. This review is now about 60 percent complete and work is roughly 30 percent.
- Prepared technical specifications and bid package for Hallie Whealton Smith Drive tar and chip work. The bid opening for this project is on October 13.
- Completed repairs on the tar wagon and the JCB backhoe.
- Interviewed 6 applicants for the vacant Roads and Facilities Supervisor position. Mr. Burch Allen is scheduled to begin work with us on October 6.

Facilities

- Performed flower bed renovation work at the Downtown Park. This project is not complete.
- Town staff spent approximately 190 man hours towards cleaning up and organizing the shop and yard areas.
- Toured Public Works shop and yard area with a safety consultant from the Virginia Municipal League. He indicated that he would forward a report to us.

Waterworks

- Town staff cleaned the ground water storage tank.
- Continued interim pump duty measures to cover for Waterworks staff shortage.
- Replace approximately 110 water meter registers in Highland Park area. This was a test area for electronic read meters a number of years ago and the registers had

become very difficult to read. The electronic meters do not make financial sense at this time.

- Received 14 applications for the open Waterworks technician position. Interviews are scheduled for October 1 and October 6.
- AJ Bowden, J Jeffries and matt Butler attended a Virginia Rural Water Association class on Basic Testing procedures.
- Mike Cosby, J Jeffries, Matt Butler and Chuck Holston attended a Virginia Rural Water Association class on leak Detection.

Mosquito Control

- Suspended daily fogging activities during the last week of September due to the weather and absence of mosquitoes. We will re-start these activities if needed.

ARTICLE I. IN GENERAL

ARTICLE II. WATER

DIVISION 1. GENERALLY

Sec. 62-26. Authority.

(a) No person except authorized public works department employees shall tap or make any connection or disconnection with water mains or distribution pipes or in any way tamper with the water meters or meter boxes of the town's water system.

(b) No person except public works department employees shall turn water meters on or off. Requests from customers to turn water on or off shall be in writing. Meters will only be turned on or off during normal working hours as described in subsection 62-58(b), except for a water leak or other such justifiable emergency.

(Code 1977, § 15-2-1; Ord. of 4-5-1999, § 15-2-1)

Sec. 62-27. Penalties for unauthorized operation.

(a) If the town's water meters, components of the water distribution system, or other such property is found to be tampered or interfered with, the plumber, contractor, service person or other party responsible for the tampering, interference, or illegal work shall be financially responsible for any repairs or replacements which may be required. A customer being supplied water through tampering, interference, or illegal installation, connection or equipment shall pay the amount which the town may estimate is due for water used but not registered on the town's meter and the cost of all such changes in the customer's installation as may be required by the town to correct any such illegal connection.

(b) Anyone found guilty of violating section 62-26 shall be guilty of a class 4 misdemeanor.
(Code 1977, § 15-2-2; Ord. of 4-5-1999, § 15-2-2)

Secs. 62-28—62-55. Reserved.

DIVISION 2. RATES, CHARGES AND BILLING

Sec. 62-56. Rates.

(a) A water rate schedule shall be established and adopted each year by majority vote of the council.

(Amended 4/19/07)

(b) A minimum rate applies to all accounts after the minimum allowed usage and an additional dollar amount is applied per 1000 gallons.

(Amended 4/2/06, 4/19/07)

(c) Water rates shall not be applied to connections for fire suppression systems described in section 62-57, except when water provided through such connections has been used for other than fire suppression. In such wrongful use, penalties described under section 62-27 shall apply.

(d) Water rates shall not be applied to churches and certain other nonprofit organizations except in cases where water usage exceeds forty thousand (40,000) gallons per quarter. In such cases, the church or nonprofit organization shall be charged at the commercial rate for the water used in excess of forty thousand (40,000) gallons.

(Code 1977, § 15-1-1; Ord. of 4-5-1999, § 15-1-1)

Sec. 62-57. Connection fees and availability fees.

(a) New connections to the water system shall be charged at the rate established by the town council plus all additional related costs incurred by the town..
(Amended 3/16/06, 4/19/07)

(b) The cost of service connections which are made to the system to provide for fire suppression systems shall be determined on a case-by-case basis as dictated by the requirements of individual fire suppression systems. Connection and meter sizes for fire suppression systems shall be determined by the size of the suppression system. Connections for fire suppression systems shall be made only by the town.

(c) Although water usage rates are not applied to churches and certain other nonprofit organizations, service connection fees and availability fees shall be charged in accordance with this article..
(Code 1977, § 15-1-2; Ord. of 4-5-1999, § 15-1-2)
(Amended 4/20/06, 4/19/07)

(d) An availability fee as established by the town council shall be charged and the amount shall be collected prior to the installation of the meter.
(Amended 4/20/06, 4/19/07)

(e) Condominiums are to be charged an availability fee as established by the town council per living unit but supplied by a master meter with the minimum billing based on the size of the meter.
(Amended 4/20/06, 4/19/07)

Sec. 62-58. Billing and other charges.

(a) All water bills for residences, hotels, motels, rooming houses, cottages, trailer parks and all rental dwellings or rental property shall be charged to the property owner and not to the tenant.

(b) Water meters shall be read quarterly, and water bills shall be delinquent 30 days after the end of the quarter. A customer shall receive a second notice granting ten days to either pay the delinquent bill or to appear before the town manager to present reasons why service should not be terminated. If the town manager makes the decision to terminate service, the customer may appeal such decision to the public works committee of the town council by filing the appeal, in writing, at least 24 hours prior to the date of termination. If such appeal is filed, service will not be terminated until after a hearing and decision by the public works committee. No service shall be reconnected without payment of all delinquent charges plus a reconnection charge as established by the town council. Services shall only be reconnected during regular town business hours between 8:00 a.m. and 5:00 p.m., with such business hours occurring from Monday through Friday, except on certain days observed as holidays by the town.
(Amended 4/19/07)

(c) Any person having service disconnected by the town shall be charged a fee as established by the town council for each reconnection. Reconnections shall be made only during regular business hours described in subsection (b) of this section.
(Amended 4/19/07)

(d) Any service disconnected on a seasonal basis shall be billed at the minimum quarterly rate or at an amount commensurate to the usage, during the period of disconnection.

(e) A change of ownership fee as established by the town council shall be charged to a water account transferred due to such a change.
(Code 1977, § 15-1-3; Ord. of 4-5-1999, § 15-1-3)

(Amended 4/19/07)

Sec. 62-59. Water bill adjustments.

(a) *Adjustments to correct inaccurate readings.* Adjustments to water bills to correct inaccurate readings shall be made in accordance with the following:

(1) Adjustments to water bills may be applied by the town to correct inaccurate reading of meters or incorrect readings caused by faulty meters. During the reading cycle, the town will automatically check anomalous readings to ensure accuracy.

(2) If a property owner wishes to contest the accuracy of a meter reading and subsequent water bill, he may request that the meter be checked or tested to verify the accuracy of the reading or the meter. If, after checking or testing the meter, the reading is found to be correct, the account will be charged a fee as established by the town council. If the meter or reading is found to be faulty or incorrect, the water bill will be adjusted accordingly.

(Amended 4/19/07)

(b) *Adjustments for water leaks.* Adjustments for water leaks shall be made in accordance with the following:

(1) In some cases, adjustments to a water bill may be granted for leaks in a property owner's water lines. The following minimum requirements shall be met to qualify for consideration of adjustment:

- a. Leaks must have occurred in the buried portion of the plumbing system, between the town's meter and the structure being served. Pipe shall be buried a minimum of 18 inches in suitable material. Plastic pipe materials shall not be buried in shells, aggregate, or debris which may be abrasive to the pipe.
- b. Generally, adjustments shall be granted for all plumbing systems and material types. Leaks which occur in plastic threaded fittings or in insert-type fittings shall not qualify for adjustment.
- c. Water bills must be paid in full, prior to being considered for an adjustment.

(2) To qualify for adjustment, the property owner shall contact the town upon discovery of the leak and request an inspection of the leak and subsequent repair work by water department personnel. In lieu of such inspection, the property owner shall submit a repair bill from a qualified plumber with a notarized statement describing the repair.

(3) The property owner's request and supporting documentation shall be provided to the public works committee of the town councilor its designee for a decision.

(4) The property owner will be notified in writing of the committee's decision. If the committee decides to grant an adjustment, the owner will be given a refund or credit on the next bill. The committee's pending decision in no way relieves the owner of full payment of the current bill.

(5) Adjustments are made through the date that the repairs are made and inspected by the town to that of the corresponding quarter of the previous year.

(6) Once an adjustment has been made, no further adjustment shall be considered for the same system for a period of five years. A system is defined as one meter or account number.
(Code 1977, § 15-3; Ord. of 4-5-1999, § 15-3)

Secs. 62-60—62-85. Reserved.

DIVISION 3. SERVICE CONNECTIONS AND EXTENSIONS

Sec. 62-86. Service connection categories.

(a) Each single-family dwelling or single business structure on a single parcel shall be served with one water meter and service connection. The meter shall be placed on the parcel of the structure being served.

(b) Multiple, single-family connected dwellings, connected rental unit structures, or connected business structures on a single parcel under singular ownership, such as apartment complexes, motels, hotels, shopping plazas and condominiums, shall be served by a single meter and service connection. The term "condominiums" as used in this section shall be defined as connected multiple-unit structures on a single parcel with the structure and parcel being jointly owned through an association or other legal vehicle. The meter shall be placed on the parcel of the structure being served.

(c) Multiple, single-family detached dwellings or detached rental units on a single parcel and under singular ownership and without property division, such as rental trailer parks and campgrounds, shall be served with one meter and service connection on the same single parcel of the structures being served.

(d) Multiple, single-family connected dwellings on individual and separate parcels and under individual ownership, such as town homes, duplexes, and triplexes, shall have individual meters and service connections serving and located on each of the parcels.

(e) Parcels which are leased for a period in excess of one year shall be considered under ownership of the lessee and, therefore, shall comply with the requirements of subsection (a) of this section.

(Code 1977, § 15-4-1; Ord. of 4-5-1999, § 15-4-1)

Sec. 62-87. Service connection requirements.

(a) Each parcel requiring a service connection to the water system shall be adjacent to a water main. Where properties are not adjacent to a water main, the following shall apply:

- (1) The water system (nearest main) shall be extended at the expense of the property owner and in accordance with the requirements of section 62-88.
 - (2) A parcel may be served from a meter and connection located on the property of others, provided that the parcel owner has a recorded perpetual easement granted by the other property owner which provides for the installation and maintenance of the water meter and service line between the town's water main and the parcel to be served. The minimum width of such easement shall be five feet. The use of easements as described in this subsection shall not apply to any legal division of property occurring after November 7, 1991.
 - (3) A parcel may be served from a connection, meter and service line located in an existing older easement and/or right-of-way, provided the use of such is not specifically described. The town will interpret such easements and rights-of-way to allow for total usage, which would include the right to install and maintain water utilities. Such easements and rights-of-way as described in this subsection must be adjacent to a water main and be contiguous to the involved parcel. The term "older," as used in this section, shall refer to property or divisions of property legally recorded prior to December 6, 1971.
- (b) The use of nonspecific older easements and rights-of-way and perpetual easements shall

only be permitted when there is no other practicable avenue available to provide water to the requiring parcel.

(c) The town is responsible for the service connection up to and inclusive of a meter serving a particular property and is not responsible for any piping or connection on the owner's property beyond the meter.

(d) Every property owner served by the water system through a service connection is required to install a valve to control the flow of water from the meter to his property. Meter valves, which are the property of the town, are not intended for such use.
(Code 1977, § 15-4-2; Ord. of 4-5-1999, § 15-4-2)

Sec. 62-88. Water main extensions.

(a) The owner and/or developer of a parcel requiring a water main extension by virtue of the requirements of subsection 62-87(a) shall request such extension from the town in writing. With the written request, the owner and/or developer shall also submit recorded drawings, plats or surveys depicting the parcel to be served by the requested extension. Such drawings shall include the delineation of the utility easements to be used by the town for the placement and maintenance of the requested water main. Delineated easements on recorded drawings shall include the finished grade elevation of the easement area. In the absence of utility easements being included in recorded drawings, easements and certification of elevation may be conveyed through separate perpetual deed of easement or agreement to the town. Utility easements shall be a minimum of ten feet in width. Pavement for roadways shall not be installed over utility easements.

(b) Upon review of the request and within 30 days of the request, the town shall design and size the appropriate extension to the water system and calculate the cost of installation of the extension. Costs shall include an administrative fee percentage, set by the town council.. The requester will be notified of the cost of the installation and allowed 30 calendar days to initiate the installation by paying the provided cost. If payment is not made within the allotted time, the requester shall submit subsequent requests as necessary to allow the town to calculate the new cost. The town shall have the right to recover costs incurred from repeated design and calculation in subsequent cost calculations.
(Amended 4/19/07)

(c) Once payment for an extension is made, the town shall schedule and implement the work within 60 calendar days.

(d) Water main extensions shall be designed and sized on a case-by-case basis, but in no case will pipe with inside diameter sizes of less than six inches be used for mains, nor will required fire hydrants be deleted from a potential extension.

(e) Property owners assume all responsibility for delineation of property to be served by water mains and the delineation of utility easements to be used for the installation of water mains. All property markers relevant to water main installation shall be in place in the field and located prior to the town's installation work.

(f) All obstructions to the path of the water main and service connections shall be cleared by the property owner prior to installation work.
(Code 1977, § 15-4-3; Ord. of 4-5-1999, § 15-4-3)

Sec. 62-89. Reimbursement of extension costs.

(a) When a water main is extended across the frontage of unimproved parcels for the purpose of providing service to another parcel, the owner of the parcel being served shall be entitled to recover some of the costs of the water main extension. In no case shall this entitle owners or developers of

subdivisions to reimbursements.

(b) The original cost of the water main extension shall be divided equally by linear foot to apply to the frontage of property across which the main is being extended. When lots adjoin the water main on two sides, the apportioned cost will further be factored as half of the linear-foot cost. When lots along the main are improved with structures requiring service, the town shall collect the apportioned amount of the original cost of the installation with connection fees from the newly requiring parcels. The parcel owner originally initiating and paying for the extension shall then be reimbursed by the town. (Code 1977, § 15-4-4; Ord. of 4-5-1999, § 15-4-4)

Secs. 62-90—62-115. Reserved.

DIVISION 4. WATER USAGE PLAN

Sec. 62-116. Normal operation.

The town's water supply and distribution system shall be operated by a qualified operator and division supervisor under the purview of the director of public works and town manager. The supervisor/operator shall report routine operations and daily water usage to the director of public works and town manager. The town manager shall further advise the public works committee of the town council and the mayor.

(Code 1977, § 15-5-1; Ord. of 4-5-1999, § 15-5-1)

Sec. 62-117. Water shortages.

For the purposes of this division, categories of water shortages shall be as follows:

- (1) *Category I: major water leaks or mechanical failures.* If a major leak or mechanical failure occurs, repairs shall be immediately initiated by the department, and the town manager shall immediately be notified of such. In conjunction with the town manager and public works committee chair, the waterworks supervisor and the director of public works shall determine if a water shortage will occur as a result of the leak or mechanical failure.
- (2) *Category II: serious water shortage.* If, through department review, a serious water shortage will occur, the town manager shall be immediately notified. After consultation with the mayor and public works committee chair, a public announcement shall be made to curtail car washing, lawn watering, garden watering, and usage by swimming pools and other recreational facilities, all on a voluntary basis.
- (3) *Category III: critical water shortage.* In critical water shortages the public announcement shall curtail the water usage as provided in subsection (2) of this section and additionally restrict the use by motels, hotels, tourist homes, campgrounds, trailer parks and all commercial establishments. Such establishments shall be required to notify their customers and restrict water usage for bathing and other purposes to a bare minimum. Restaurants and food service establishments will provide water to customers only when requested. All curtailments during the critical water shortage will be mandatory. During critical water shortages a moratorium shall be placed on all new water service connections.

(Code 1977, § 15-5-2; Ord. of 4-5-1999, § 15-5-2)

Sec. 62-118. Public announcements.

All announcements of water shortage shall be made through local radio stations or through the town's EOC established procedures. Announcements shall establish restrictions and assign an effective

date for restrictions. Restrictions shall not be removed until so announced by radio.
(Code 1977, § 15-5-3; Ord. of 4-5-1999, § 15-5-3)

Sec. 62-119. Enforcement.

The town police and/or special police shall issue tickets to violators of subsection 62-117(3). Upon conviction, a violator shall be guilty of a class 4 misdemeanor, and each incident shall be considered a separate offense.

(Code 1977, § 15-5-4; Ord. of 4-5-1999, § 15-5-4)

Secs. 62-120—62-145. Reserved.

DIVISION 5. CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

Sec. 62-146. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Backflow means the flow of water, liquids, mixtures, gases or other substances into the distribution piping of a potable supply of water from any source.

Connection means the terminal end or a service line from the waterworks. If a meter is installed at the end of the service connection, the connection means the downstream end of the meter.

Consumer: The owner or person in control of any premises supplied by or any manner connected to the waterworks.

Consumer's water system: any water system located on the consumer's premises, supplied by or in any manner connected to a waterworks.

Cross connection: any unprotected connection between any part of a water system used or intended to supply water for drinking purposes and any source or system containing water or substances that are not or cannot be approved as safe, wholesome and potable for human consumption.

Water purveyor: An individual, group of individuals, partnership, firm, association, institution, corporation, municipal corporation, county, or authority which supplies water to any person within this state from or by means of any waterworks.

Waterworks means a system that serves piped water for drinking or domestic use to (i) the public, (ii) at least 15 connections or (iii) an average of 25 individuals for at least 60 days out of the year. The term "waterworks" includes all structures, equipment and appurtenances used in the storage, collection, purification, treatment and distribution of pure water except the piping and fixtures inside the building where such water is delivered, as set forth in Code of Virginia, § 32.1-167.

(Code 1977, § 15-6-2; Ord. of 4-5-1999, § 15-6-2)

Cross reference—Definitions generally, § 1-2.

Sec. 62-147. Scope.

(a) The town council adopted on May 4, 1987, by reference, VR 355-18-006, article 3, Cross-connection Control and Backflow Prevention in Waterworks, of the Commonwealth Department of Health.

(b) Also made part of this division by reference is the Manual of Cross Connection Policies, as approved by the commonwealth department of health, on May 13, 1987, and by the town council on May 4, 1987. Such manual authorizes and establishes rules and regulations for the control of cross connections.

(c) This division is a supplement to any applicable plumbing codes.
(Code 1977, § 15-6-1; Ord. of 4-5-1999, § 15-6-1)

Sec. 62-148. Program description.

(a) The water purveyor or its representative shall have the right to enter, at any reasonable time, properties served by a connection to any waterworks operated by the town for the purpose of inspecting the consumer's water system for cross connections. Upon request, the owner or occupant or property served shall furnish to the inspection agency pertinent information regarding the piping system on such property. The refusal of such information or refusal of access when requested shall be deemed evidence of the presence of cross connections.

(b) After inspection, the water purveyor shall have the right to require that a consumer's water system be modified through installation of backflow prevention devices or other means to eliminate cited cross connections.

(c) The water purveyor may deny or discontinue the water service to a customer for failure to comply with any requirements of the cross connection control program. Water service to such premises shall not be restored until the deficiencies have been corrected or eliminated in accordance with the requirements of the program.
(Code 1977, § 15-6-3; Ord. of 4-5-1999, § 15-6-3)

Sec. 62-149. Violation.

Any person or consumer found guilty of violating any of the provisions of the cross connection program or this division shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by the corresponding penalty.
(Code 1977, § 15-6-4(a); Ord. of 4-5-1999, § 15-6-4(a))