



Smyth County Water and Sewer Department

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Policy & Regulations

HANDBOOK

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OFFICE HOURS:
Monday – Friday
8:00 a.m. - 4:30 p.m.

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SMYTH COUNTY

WATER AND SEWER DEPARTMENT POLICY

I. Authority:

- A. It is the intent of the Smyth County Board of Supervisors hereinafter called the “County” to plan, provide, and/or coordinate, the availability of the water and sewer services for all persons, businesses, and corporations in Smyth County.
- B. The Smyth County Board of Supervisors has established the Water and Sewer Department to provide these services in the County and as may be coordinated with other providers or jurisdictions.
- C. The Smyth County Board of Supervisors delegates to the Smyth County Water and Sewer Committee the authority to monitor and evaluate the water and sewer policy and ordinances, plan for future water and sewer needs of Smyth County, prepare and submit requests for water or sewer projects to the Board of Supervisors, receive and evaluate requests from citizens for service and to receive and evaluate requests of other providers to serve citizens in Smyth County.

II. Supervision of the Water and Sewer Department:

- A. The day to day operation, supervision, and application of policy for the Water & Sewer Department shall be the responsibility of the Water Foreman.
- B. The Water Foreman shall be subject to the supervision of the County Administrator.

III. Application for Service and Condition of Service:

- A. Any Property Owner/Landlord or Tenant desiring to make application for services from the County shall make written application, either in person, or by mail, at the office of the Smyth County Water & Sewer Department. Service will be approved upon verification of ownership of such property to be served or a Tenant's signed Landlord Authorization Form with Property Owner verification.
- B. The non-refundable application fee, which will be set from time to time by the County, must be paid before the application will be processed. Tenants must pay a security deposit in addition to an application fee. The security deposit is fully refundable to the Tenant (or a sponsoring organization, if applicable) upon payment in full of water and/or sewer service charges at the date of termination.
- C. Each applicant shall complete, sign, and have notarized an application stating they agree to pay for the water or sewer service, and they comply with the water/sewer regulations now in effect and as may be amended in the future.
- D. The County reserves the right to deny service for any good and sufficient reason.
- E. The County may reject any application for service when the applicant is delinquent in payment of any account incurred for service previously supplied by the County or by a Town or private water provider located within the County.
- F. Any person in whose name the application is made shall be responsible for payment of all bills incurred in connection with the service furnished.
- G. Water or sewer service furnished for each connection shall be used on that connection only, and the customer shall not be permitted to provide or sell water or sewer service to any other person or allow

anyone to connect onto the customer's water or sewer line. Water shall not be used for irrigation or fire protection except when water is available in sufficient quantity so as not to interfere with regular domestic and commercial needs in the area served.

H. At times of drought or other emergency, the County reserves the right to limit or restrict water uses such as, but not limited to, car washing, lawn watering, and recreational activities.

IV. Charge for Service Connection:

A. From time to time, the County shall determine the connection fees which are non-refundable and in addition to the application fees in the following cases:

- 1) New service connections made on an existing completed project.
- 2) Re-establishment of water service when the service previously existed and the meter is still available for use.

V. Service Rates:

Water and sewer rates and service fees shall be in amounts set by the County in the manner prescribed by law.

VI. Service, Installation, and Maintenance:

A. The County reserves the right to refuse service when in the exercise of sound discretion, the County believes to provide such service may cause damage to third parties or may not be economically feasible; provided, however, with the prior written consent of the County, an Owner may install a water and/or sewer line from an existing County line to the Owner's property line, such installation to be

performed by a licensed contractor. If the newly installed line complies with the County's specifications and regulations, and if the Owner grants and conveys all the necessary water and/or sewer line easements to the County without cost to the County, then the County may waive the connection fee for additional connections, but not the main line connection fees. In this situation the owner shall pay any reasonable fee assessed by the County as a result of the request by the owner. Once accepted, the County will maintain the portion of the newly installed line(s) that are granted and conveyed to it.

- B. The County's responsibility for water line maintenance ends just outside the meter box where the customer's water line begins. The County's responsibility for sewer line maintenance ends at the cleanout provided with each sewer tap.

VII. Access to Premises:

- A. Duly authorized County staff or agents shall have access, during normal working hours and early evening hours, to the premises of the customer for the purpose of installing or removing County property, inspecting piping, reading, or testing meters, or for any other purpose in connection with the County's service and facilities. In the case of an emergency, said duly authorized County agents shall have access at any hour to the customer's premises to deal with the emergency, for as long as the emergency continues.
- B. Every customer, by accepting water and/or sewer service from the County, does thereby agree the County shall have, and is thereby given, a permanent easement and right-of-way across any property owned by the customer for the purpose of permitting the County to install water and sewer facilities and lines to furnish services to the customer.

VIII. Meter Reading, Billing, and Collection:

- A. Meters will be read and bills rendered on a schedule established by the County, but the County reserves the right to vary the dates or length of days of time covered, temporarily or permanently, if necessary or desirable, but at least every other month.
- B. Bills for County's water and sewer service will be computed in accordance with the published rate schedule and will be based on the amount consumed for the period covered by the meter readings, except when a customer orders a turn-off less than one (1) month after turn-on. The charge then shall be the minimum for one full month's service, or the charge for the full amount of water actually used, whichever is greater.
- C. Charge for the service commences when the tap is installed and service is available, whether used or not.
- D. Readings from different meters will not be combined for billings, irrespective of the fact that said meters may be for the same or different premises, or for the same or different customers, or for the same or different service.
- E. Bills are due when services are rendered and become delinquent if not paid by the due date indicated on the bill, and if not paid within five (5) working days, service may be discontinued by the County. A penalty of 5% (or \$1.50 minimum) of the amount of the bill shall be assessed for nonpayment of delinquent bills. If payment has not been received by the cut-off date, the customer shall be disconnected from the service. In addition, failure to pay within 15 days of the discontinuance of service may result in the County applying the Tenant's deposit to the bill and exercising any and all legal means to collect remaining amounts that may be owed. Any customer, who is subject to having their service disconnected

due to lack of payment, shall complete a new application and pay a reconnect fee whether or not service has been physically disconnected. To restore service the entire balance of the account, including all penalties, fees and charges must be paid in full.

- F. In instances where customers with excellent payment histories do not pay their bill on time or prior to the end of the five (5) day grace period, a requested waiver of the Disconnect/Reconnect Fee may be applied if the previous twelve (12) months of payment history does not involve a Disconnect/Reconnect Fee.
- G. The County shall notify Landlords in writing or email (if provided for this purpose) if Tenant defaults on a bill when the security deposit does not fully cover the amount owed. Reasonable efforts will be made by the County to collect the remaining debt from the Tenant including listing Tenant in the Virginia Department of Tax Debt Set-Off Program if it is more than \$25.00. Thirty (30) days following the disconnection of service, the Landlord/Owner will receive a second notice requesting payment on the Tenant's remaining debt. If the payment is not made within thirty (30) days, the County may place an automatic lien on the Owner's property of no more than three months water bills and applicable penalties and costs not to exceed 20% of the amount owed on the Owner's property. Upon request, the County will provide documents necessary for the Landlord/Owner to collect against delinquent Tenant in subrogation. New Tenants of Landlord/Owner may establish a new account at the property during this process.
- H. Only the staff specifically designated by the Board of Supervisors has the authority to negotiate a payment

schedule for outstanding accounts. The failure of the County to send delinquent notices shall in no way impair the remedies available to it for failure to pay a bill when due.

- I. Failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the customer from payment. The failure of the County to exercise any right or remedy shall not be a waiver of that right on any subsequent incident or default.
- J. Customers shall be made inactive after the second disconnect/reconnect fee in a row without an interim payment.
- K. Once they are made inactive, non-users who are not connected to the system are required to pay the re-establishment fee plus any outstanding account balance in order to re-establish service.

IX. Suspension of Service:

- A. The County reserves the right to discontinue its service without notice, shall require a reconnect fee to be paid, if and when the service is restored, for the following reasons:
 - 1) Failure to pay bills when due.
 - 2) To prevent fraud or abuse.
 - 3) Consumer's willful disregard of the County's rules.
- B. The County reserves the right to discontinue its service without notice for the following additional reasons:
 - 1) Emergency repairs
 - 2) Insufficiency of supply due to circumstances beyond the County's control.
 - 3) Legal processes.
 - 4) Directions of public authorities.

5) Strike, riot, fire, flood, accident, or any unavoidable cause.

X. Discontinuation of Service / Change of Occupancy:

- A. Not less than three (3) business days advance notice must be given in writing, at the County's Water & Sewer Department, to discontinue service or to change the name in which the account is maintained.
- B. The customer shall be responsible for all water and sewer charges incurred up to the time of actually vacating the premises, or the time specified for vacating under item (A) above and shall be billed accordingly.
- C. Any customer who desires to discontinue service or be removed from the billing cycle may do so in writing to the Smyth County Water and Sewer Department. Upon approval of such request, Smyth County shall take all steps necessary to separate the customer from the county system (including but not limited to appropriate change in the computer data and removal of the metering device.) In the event the customer at some point desires to restore service the County will impose a service fee for such restoration of service.

XI. Complaints and Adjustments of Bills and Appeals:

- A. If the customer believes their bill to be in error, they shall present their claims to the County Water and Sewer Department's office before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service, as heretofore provided. The customer may pay such

bill under protest and said payment shall not prejudice the claim.

- B. The County may make special meter readings at the request of the customer. An appropriate fee will be charged each time a meter is re-read and the reading is correct. If the reading is inaccurate, no fee will be charged.
- C. Meters may be tested at the request of the customer upon payment to the County of the actual cost for the County to make the test, provided; however, that if the meter is found to over-register beyond 3% (three percent) of the correct volume, no charge will be made.
- D. If the seal of a meter is broken other than by the County's representative or if the meter fails to register correctly or is stopped for any cause, the consumer shall pay an amount established from the record of his previous bills and/or from other proper data.
- E. At the discretion of the Water Foreman, and according to a protocol the Water Foreman may establish an adjustment to a customer's water and/or sewer bill may be made for a leak or other event on not more than one time per a revolving 12 month cycle per connection. The said adjustment shall not involve more than two (2) billing cycles. This does not preclude the Water Foreman from authorizing an adjustment necessitated by an operational problem in the County's system and said adjustment may be determined by the Water Foreman. The customer's leak or malfunctioning equipment must be properly repaired before an adjustment is made.
- F. Should any of the Water & Sewer Department staff have reason to suspect that a customer has a leak or other malfunction, a reasonable effort to notify the customer shall be as follows:

- 1) Give verbal notice at the customer's place of usage and/or leave a preprinted notice with or affixed to the customer's premises, indicating a possible leak.
- 2) The staff member shall make and maintain a written record of the notice and advise the billing clerk of said notice as soon as possible.
- 3) As soon as being advised of the leak notification, the billing clerk shall mail a letter to the customer's billing address advising them of the possible leak and delineating their responsibility to make timely repairs and advise them of the leak adjustment policy. The billing clerk shall maintain a copy of said letter. This section in no way requires the staff to scrutinize or compare current and previous consumption of each customer nor does it relieve the customer from any responsibility because they were not notified before receiving their bill.

G. The adjustment of a bill for a leak or malfunction shall be calculated as follows: The average of the usage for three months prior to the leak or malfunction is calculated. The three months average represents a normal bill. The average usage is subtracted, once for each billing cycle involved, from the total volume of water metered for the period being adjusted. The difference so calculated is the volume of the leak. The customer will be billed for an average usage for each billing cycle involved plus one half of the volume of the leak. The County will forgive the value of the other half of the leak.

H. Complaints and Appeals: Any person who has a complaint about or wishes to appeal a decision of the Smyth County Water & Sewer Department

should address the Smyth County Water & Sewer Committee through the County Administrator or the County Engineer. Appeals of any action taken under this policy shall be decided by the Board of Supervisors of Smyth County.

XII. Location of Fire Hydrants:

The County may locate fire hydrants along the main line of the County's water system upon the request of one or more customers, and if there is sufficient capacity, but the cost of installing said fire hydrant shall be paid by said customer or customers in full before installation thereof. An appropriate charge shall be made by the Water Foreman for the use of the water through the fire hydrants on the County's water system.

XIII. Condition of Use:

A supply of water to any persons shall be on the condition that such person agrees to comply with all rules and regulations now in effect or promulgated in the future by the County. The Smyth County Board of Supervisors make no guarantee to the supply of water, but will supply water to the customers upon the same basis as water is available to that area of the County served by a specific water system.

XIV. Tampering with Equipment:

Anyone who bypasses a meter or service tap or tampers with or damages any part of the County's system, wherever situated, will be subject to prosecution under Code of Virginia Sections 18.2-162, 18.2-163 or 8.01-44.7 and must pay for repairs, and may, in addition be denied service by the County.

XV. Installation of Meters:

Meters and meter boxes shall be installed by the County. Such installation shall be at points satisfactory to the County for the protection of its property. All service connections shall be buried to a depth of at least eighteen (18) inches. Deeper installations may be required by the County when surface conditions, use, or experience indicate that such deeper installation is advisable. Meters, wherever located, shall remain the property of the County which shall be at liberty to remove the same for any good cause.

XVI. Abridgement or Modification:

- A. No promise, agreement, or representation of any employee of the County shall be binding upon the County except as it shall have been agreed upon in writing, signed, and accepted by the Smyth County Board of Supervisors.
- B. No modification of rates or any portion of the policy and regulations shall be made by any agent of the County unless so authorized by the Board of Supervisors.
- C. This policy is subject to change or modification by the County.

CROSS-CONNECTION

Notice #1

Section 6.00, Commonwealth of Virginia Waterworks Regulations, states that the water purveyor shall establish a continuing program of cross-connection and back flow prevention control consistent with the extent of the system and type of consumer served. Each waterworks owner must establish this program to prevent contamination of the potable water system. Contamination may occur under back siphonage or back pressure conditions whereby contaminants are siphoned or forced respectively back into the potable water supply. Back siphonage of contaminants may occur where there is a pressure drop creating a suction or partial vacuum in the system. This may occur during line breaks or high usage in fire fighting situations. Back pressure may occur when there are pumps or boilers on the water system which produce pressures higher than water system pressures.

To insure the safety of you the consumer, the following will not be allowed without special permission from the Smyth County Water & Sewer Department:

1. Swimming pools.
2. Connections to unapproved sources, such as springs, individual wells or cisterns, etc.
3. Photographic developing setups.
4. Water softeners.
5. Hose bibs (outside water spigots) used in conjunction with aspirators to spray.
6. Hoses attached to laundry faucets which extend below the top of the laundry tub.
7. Booster pumps and/or storage tanks (pressure tanks included).

If you feel the necessity of any of the above items in your home, you must notify our office so that an inspection can be made. After the inspection you will be advised of the proper type of back flow prevention valve needed.