

**THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN,
SITTING AS THE BOARD OF DIRECTORS FOR THE CRAVEN COUNTY
WATER DISTRICT, MET IN REGULAR SESSION ON MONDAY NOVEMBER
16, 2009 IN THE COMMISSIONERS' ROOM OF THE CRAVEN COUNTY
ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH
CAROLINA. THE MEETING CONVENED AT 9:32 A.M.**

MEMBERS PRESENT:

Chairman Jason R. Jones
Vice Chairman Theron McCabe
Commissioner Lee Kyle Allen
Commissioner Perry L. Morris
Commissioner Johnnie Sampson, Jr.
Commissioner M. Renée Sisk
Commissioner Steve Tyson

STAFF PRESENT:

Harold Blizzard, County Manager
Ray H. Moser, Assistant County Manager
Richard F. Hemphill, County Finance Officer
Gwendolyn M. Bryan, Clerk to the Board
Jim Hicks, County Attorney
Arey Grady, County Attorney's Office

Following the roll call, Commissioner Sampson moved to approve minutes of November 2, 2009 regular session, seconded by Commissioner Morris and unanimously carried in a roll call vote.

PROPOSED UPDATED WATER RULES

Water Superintendent, Rusty Hayes, presented proposed updates to the current water rules and regulations that have been in place since the early 1970's. Changes that should improve the efficiency of the Water Department along with reinstating the capital reserve fee were incorporated and since they involve additional fees, he sought input from the Water Board. Mr. Hayes requested to schedule a public hearing on the ordinance, and offered to conduct a work session for the Board.

CHAPTER 40 - UTILITIES

ARTICLE II - WATER

DIVISION 1 - GENERALLY

Subdivision 1. General Regulations

Sec. 40-19. Definitions.

The following words, terms and phrases, when used in this Division 1, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

County means Craven County, North Carolina.

County Water System means all parts of the County's water system and generally includes water lines, water towers, wells, treatment facilities, hydrants, water meters, meter boxes, cut-off valves and other facilities related to providing water utility service, but excluding any Owner Service Facilities.

Customer means all persons in whose name the County maintains an account for water service, or who are responsible for payment of water passing through a particular meter. All Customers are responsible for any use of water that passes through the meter for which they are responsible.

Irrigation Service means water service restricted only for the purpose of irrigation.

Manager means the County Manager, or his designee.

Owner means the fee simple owner of real property whose premises is or can be provided utility service by the County.

Owner Service Facilities means the water service facilities owned by an Owner and commencing at the connection on the Owner's side of the County's meter and servicing the premises of such Owner, including pipe, private cut-off valves, backflow prevention device, pressure reducing valve and other components.

Person means any individual, partnership, firm, company, corporation, association, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns.

Rates and Fee Schedule means the Rates and Fee Schedule adopted by the County from time to time setting forth the rates and charges imposed by the County.

Sec. 40-20 Application for Service; Fees{ TC "Section 1.5. Application for New Service" \f C \l "2" }.

A. Any Owner desiring new water service must make a written application to the County upon forms to be supplied by the County, setting forth the type of service requested, the location of the property to be served, and such other information as the County may require. The application must be accompanied with a copy of proof of a possessory right to occupy the property being served, including but not limited to a deed, lease or similar documentation. The County may require additional information when a Customer intends to use water for other than household purposes or when the County deems such additional information necessary for the proper operation of its water system.

B. { TC "Section 1.6. Initial Fees" \f C \l "2" }An application for new utility service shall be accompanied by any applicable fees and charges.

C. { TC "Section 1.7. Rejection of Application" \f C \l "2" }The County may reject an application for utility service if (i) the application seeks service not within the classifications of utility service offered by the County, (ii) the providing of utility service involves excessive service costs or is otherwise not feasible, (iii) the provision of utility service may adversely affect the quality and quantity of utility service the County is able to provide to its existing Customers, (iv) the application is from a prospective Customer who intends to resell water, (v) the applicant is delinquent in payment of bills incurred for service previously supplied at the location for which utility service is sought or at any other location, or (vi) for any other good and sufficient reason. An application for Irrigation Service may be rejected for any reason.

Sec. 40-21. Control and Maintenance of County Equipment/Damage{ TC "Section 1.9. Control and Maintenance of Authority Equipment/Damage" \f C \l "2" }.

A. The County Water System shall be under its exclusive control, and no Person, other than authorized employees, agents, and contractors of the County or authorized licensed plumbers, shall install, tap into, repair, change, tamper or interfere with them in any way. The County will specify the location, size, kind and quality of all materials constituting the County Water System. IT IS UNLAWFUL (i) FOR ANY PERSON TO ALTER, TAMPER WITH OR BYPASS A WATER METER OR TO KNOWINGLY USE WATER PASSING THROUGH SUCH A TAMPERED METER OR WATER BYPASSING A METER, (ii) FOR ANY UNAUTHORIZED PERSON TO RECONNECT WATER CONNECTIONS OR OTHERWISE TURN ON WATER THAT HAS BEEN DISCONNECTED OR TURNED OFF BY COUNTY, and (iii) for any Person to contaminate a public water system or to damage or tamper with public utility facilities with the intent to impair the ability of the facilities to provide utility service.

B. The cost of repairing any damage to any meter or other County Water System by an Owner’s operations, negligence or carelessness, or that of any Person occupying the premises of the Owner being served by the County, shall be paid by the Owner. Such damages shall include but not be limited to the costs of investigation; expert fees, tests and analyses; labor and materials, reimbursement for lost revenues due to water loss and reasonable attorney’s fees. The cost of lost water shall be added to the first utility bill rendered after the amount of the cost of the repairs is ascertained by the County. The cost of repairs (excluding lost water) shall be due prior to the establishment of service added to the first utility bill rendered after the amount of the cost of the repairs is ascertained by the County. The cost of such repairs shall be determined by the schedule of “Service/Repair Costs” maintained by the County in its Rates and Fee Schedule. The Owner of the premises being served shall be responsible for the amount billed notwithstanding that such bill is rendered to a Customer at the premises other than the Owner.

C. No Person shall plant shrubs, bushes, trees or other vegetation, erect any fence or other structure, allow obstructions of any nature, or maintain any pet in a fashion that will hinder or prohibit access of the County to its meter box or otherwise endanger County personnel. The Owner of premises served by the County is responsible for keeping the meter box free of sand, trash and other debris.

D. No Person unauthorized by the County shall turn on or turn off water supplied by the County.

E. In addition to the penalties prescribed herein, N.C.G.S. Section 14-151.1 provides that it is a Class 1 misdemeanor for an unauthorized person to alter, tamper with, bypass, or reconnect a water meter.

Sec. 40-22. Owner Service Facilities{ TC "Section 1.10. Owner Service Facilities" \f C \l "2" }.

No Person shall connect Owner Service Facilities without first obtaining the permission of the County.

Where the County makes the connection the applicant for connection shall pay a Tap Fee (plus other applicable fees). Where the County does not install the connection either for an individual property or for a development project, the applicant for connection shall engage a utility contractor approved by the County to install the connection. All cost and expenses of connection shall be borne by the applicant and the applicant shall pay an Inspection Fee (plus other applicable fees) to cover the cost to the County of inspecting and approving the installation work.

{ TC "Wastewater" \f C \l "1" }

Owner Service Facilities shall be installed and maintained in good order and repair at no cost and expense to the County, but shall be subject to inspection and approval by the County before service is connected. Owner Service Facilities shall be installed in accordance with County specifications, and applicable governmental building/plumbing codes. The County does not assume responsibility for inspecting Owner Service Facilities or for any defects therein.

Subdivision 2. Water Service

Sec. 40-23. Water Service Metered.

{ TC "Section 2.1. Water Service Metered." \f C \l "2" }Each separate residential or commercial unit shall be supplied through a separate meter.

Sec. 40-24. Backflow.{ TC "Section 2.2. Backflow." \f C \l "2" } Owner Service Facilities connected with the County Water System shall not be connected with pipes or fixtures supplied with water from any other source and shall include a Backflow Prevention Device(s). Backflow Prevention Devices to be used shall comply with

applicable State of North Carolina building codes and shall be approved by the County. Upon the discovery of a cross-connection or the absence of a proper Backflow Prevention Device, water service shall be terminated until the violation is remedied. The County shall follow North Carolina's Public Water Supply rules and regulations on cross-connection controls.

. Sec. 40-25. Tests; Error{ TC "Section 2.3. Tests" \f C \l "2" }.

A. The County may at any time remove any meter for routine tests, repairs or replacement. The County shall upon request of a Customer, test the accuracy of the meter in use, provided the meter has not been tested by the County within a period of three (3) months previous of such request, and that the Customer will agree to abide by the results of such test in the adjustment of disputed charges. If the meter is shown to have an error as defined in this Article, the County will replace or correct the meter at no charge. If the meter has no such error, the Customer will pay a Meter Testing Charge.

B. { TC "Section 2.4. Error" \f C \l "2" }Whenever a test of a meter reveals it to have an average error of more than two percent (2%), the County shall render a bill for or make a refund of, as the case may be, such percentage of the amount reflected on bills covering the consumption indicated by the meter for the previous three (3) months, as the meter was found to be in error at the time of test, unless it can be shown to the satisfaction of the County that the error found had existed for a greater or lesser period, in which case the adjustment shall cover such actual period.

Sec. 40-26. Irrigation Service{ TC "Section 2.5. Irrigation Service" \f C \l "2" }.

Water supplied for Irrigation Service only may not be used for potable, domestic or any other use. No pipes or other Owner Service Facilities intended for potable water service shall be connected to any meter dedicated only for Irrigation Service. If it is discovered that water supplied through a meter dedicated solely for Irrigation Service is being used for potable or domestic water use, the Customer shall be required to pay the applicable fees and rates for potable water for the 12-month period immediately preceding the date it is discovered that the Irrigation Service has been used for potable or domestic water use, or such shorter period of actual service if the Irrigation Service meter has been installed for a shorter period on an annualized basis.

North Carolina State law mandates that Customers who use the County's potable water system for irrigation purposes on or after July 1, 2009, meter irrigation usage from a water meter separate from the meter measuring other water consumption at the premises. An Irrigation Tap and Irrigation Capital Reserve Fee (if any), in addition to the regular Tap and Capital Reserve Fee for the domestic meter will be due and payable when a Customer files application with the County for installation of an irrigation meter. This requirement for a separate irrigation meter does not affect Customers with irrigation systems connected to the potable water system prior to the law's effective date of July 1, 2009.

Sec. 40-27 Hydrant Meter Policy.

- A. Hydrant meters with backflow preventers will be permitted on the County Water System only in the unincorporated areas of the County.
- B. Customers must complete an application for hydrant meter service at the County Water Department.
- C. Hydrant meter service will be permitted for up to 90 days and may be renewed for an additional 90 day period at the discretion of the County Water Department Superintendent.
- D. All hydrant meters must be installed and disconnected by County Water Department employees or contractors only. Hydrant meter readings will be made by the County Water Department each month and invoiced for payment at the end of each 90 day period.

- E. Upon discontinuance of service, the security deposit shall be applied by the County Water Department toward settlement of the account. Any remaining deposit balance in excess of \$2.00 will be refunded to the customer. If the deposit is not sufficient to cover the account, the County shall bill the customer for the remaining balance.

Sec. 40-28. System Expansions{ TC "Section 2.8. System Expansions" \f C \l "2" }.

The construction of County Service Facilities by developers or others for new utility service shall be controlled by and subject to the then-current County policy related to the same.

Subdivision 3. Rates, Fees, and Charges{ TC "Rates, Fees, and Charges" \f C \l "1" }

Sec. 40-29. General{ TC "Section 4.1. General" \f C \l "2" }.

The County shall annually, or more frequently if financial or other conditions dictate, establish rates and charges so that revenues of the County, will be sufficient at all times to pay the cost of maintaining, repairing, and operating the County Water System, including reserves for such purposes, debt service on bonds and other debt obligations issued by the County and debt service reserves, the cost of water system development and growth, and the cost of such other matters as the County deems appropriate. The County may set different rates for different service areas or different types of utility service where a basis of distinction exists to establish such differentiated rates.

Sec. 40-30. Fees and Charges.{ TC "Section 4.2. Specific Fees and Charges." \f C \l "2" }

The County may from time to time adopt and impose fees and charges, the amounts of which shall be set forth in the Rates and Fee Schedule on file with the County Clerk’s Office, which may include but not necessarily limited to:

A. Customary Monthly Charges:

- (i) User Fee – a charge based on volumetric utility usage determined from meter readings or other method acceptable to the County the amount of which increases as volumetric usage increases.

B. Charges Related to New Utility Service:

- (i) Capital Reserve Fee – a one-time fee to recover the past or future capital costs of the County Water System that have a system wide benefit, assessed on a per meter or tap basis.

Capital Reserve Fees are due as follows:

- a) Capital Reserve Fees for subdivision lots created pursuant to the Craven County Subdivision Ordinance that received final approval by the Board of Commissioners prior to _____ shall be deferred until such time as service is requested for a lot in said subdivision, at which time the then-current Capital Reserve Fee shall become due and payable for each lot to which service is requested.
- b) Capital Reserve Fees for all subdivision lots created pursuant to the Craven County Subdivision Ordinance that receive final approval on or after _____, shall as a condition to such final approval, be due and payable prior to final subdivision approval.
- c) For all other situations, Capital Reserve Fees shall be due at the time payment is due for a Meter Fee or a Tap Fee.

Payment of the Capital Reserve Fees shall entitle an applicant to the corresponding amount of water capacity for a fixed period of time, which

shall be as follows: (i) for payment of the Capital Reserve Fee between _____ and December 31, 2010, one year from the date payment is made to the County; or (ii) for payment of the Capital Reserve Fee after December 31, 2010, two years from the date the payment is made to the County. Prior to the expiration of said water capacity, or prior to the expiration of any extension granted hereunder, the applicant may file an unlimited number of requests for one year extensions to the Craven County Water Board, which may be denied for any reason. In no event shall Capital Reserve Fees be refunded.

- (ii) Inspection Fee – a fee to cover the cost to the County of inspecting and approving the work of a contractor engaged by an applicant to connect the applicant’s Owner Service Facilities to the County Water System.
- (iii) Meter Fee – a charge to cover the cost of the installation of a water meter when new service is initially requested through an existing tap. Meter fees shall be paid at the time service is requested.
- (iv) Tap Fee – a one-time charge to cover the cost to the County of installing meters and other portions of the County Water System which benefit only the consumer being served. Tap Fees shall be paid at the time of application for new utility service.

C. Other Fees and Charges:

- (i) After Hour Fee – a fee for service calls which the consumer requests to be made after 5:00 p.m. weekdays and on weekends or holidays for a leak or line break and the line or break is to the Owner’s Service Facilities or to the County Water System resulting from the negligence of the Customer at the premises or the Customer’s guests or agents.
- (ii) Backflow Testing and Service Restoration Fees – fees to cover the cost of testing backflow prevention devices and for restoring utility service for non-compliance with the backflow portion of this Division.
- (iii) Cut Lock Fee – a fee to cover the cost of replacing locks which have been removed from County water meters without the County’s consent.
- (iv) Credit Letter Fee – a fee for preparation of letters regarding a Customer’s credit history with the County.
- (v) Delinquency Fee – a fee for delinquent payments as may be assessed pursuant to Section 40-33.
- (vi) Hydrant Rate – a volumetric charge for the special use of water, such as withdrawal from a fire hydrant through a hydrant meter.
- (vii) Late Fee – a fee added to delinquent utility bills.
- (viii) Meter Testing Charge – a charge for testing meters measuring utility service.
- (ix) Miscellaneous Administrative Fees – fees for such matters as returned checks, copying, and such other categories as the County deems appropriate.
- (x) Plan Review Fee – a fee for reviewing and approving plans and specifications submitted for utility facilities to be constructed by others than the County and dedicated to the County upon completion.
- (xi) Security Deposit – a fee due when a Person applies for new water service, as more particularly set forth in Section 40-31.

(xii) Service Call Fee – a service call fee will be charged to the Customer's account for the following:

- (1) Check a leak at the request of a Customer (and the leak is on the Customer's side).
- (2) Customer wants meter reread because of high water usage.
- (3) Customer needs angle stop/yoke turned off to make repair (Service call will include going back out and turning the meter back on).
- (4) Checking pressure (problem is on Customer's side).
- (5) New service tap scheduled for installation but remains unflagged when tap crew arrives (requiring rescheduling).
- (6) When a meter remains obstructed so that it cannot be read after the County has previously issued a letter requesting that the obstruction be removed.
- (7) A Turn-on fee, which is a one-time fee due when new utility is connected to the County's Water System.

(xiii) Tampering Charge – a charge for tampering with any County Water System.

Sec. 40-31. Security Deposit{ TC "Section 4.3. Security Deposit" \f C \l "2" }.

Each Customer shall make a Security Deposit at the time of applying for service in the amount set forth in the Rates and Fee Schedule; provided, however, the County may waive a Security Deposit when it determines in its sole discretion that a Customer has a good credit history. Security Deposits shall be used upon termination of utility service or at any other times the County elects to cover a Customer's delinquent utility bill. If a Customer maintains a good credit history with the County for a continuous period of 24 months, the County will apply the Security Deposit to the Customer's next bills until depleted. However, if the County later determines that the Customer has become a credit risk, it may require the Customer to make another Security Deposit or discontinue crediting of an existing Security Deposit to utility bills. Security Deposits shall not draw interest. When service is terminated, any unused portions of the Security Deposit shall be refunded. Making a Security Deposit does not relieve a Customer of the obligation to pay a bill when due nor prevent the County from terminating service for non-payment of bills. The procedural guidelines used by the County from time to time to determine if a Customer has a good credit history may be changed at any time at the option of the Manager.

Subdivision 4. { TC "ARTICLE V" \f C \l "1" }Billing and Collection{ TC "Billing and Collection" \f C \l "1" }

Sec. 40-32. Bills{ TC "Section 5.1. Bills" \f C \l "2" }.

A. Water meters will be read monthly and bills will be processed and mailed monthly. The County Water Department reserves the right to vary dates and length of period covered, temporarily or permanently, if necessary.

B. Bills for water consumed shall be calculated as set forth in the current rate schedule and will be based on the amount consumed for the period of time covered by the meter readings.

C. All bills shall be sent to the street address for the premises being served, unless the County is notified in writing of some other address to which bills are to be mailed. Failure to receive bills will not be considered justification for nonpayment of amounts due or permit an extension of the date when the account would be considered delinquent.

Sec. 40-33. Payment{ TC "Section 5.2. Payment" \f C \l "2" }.

Water bills are due when rendered. A water bill for any billing period shall be considered delinquent if not paid on or before the 20th day after the statement date. If the bill is not paid on or before the 20th day after the statement date, a Late Fee in the amount set forth in the Rates and Fee Schedule will be applied. If a bill is not paid in full within 50 days of the statement date, a Delinquency Fee will be applied at 5:00 p.m. on the 50th day, and utility service may be discontinued. Past due balances, Delinquency Fees, and/or a Security Deposit, if one does not currently exist on the account, must be satisfied before the account is reinstated.

At any time after a second bad check and/or bank draft has been presented for payment of utility bills on a Customer, the County may require that payment be made only in cash, by money order, or by certified check.

Sec. 40-34. Broken Seals/Locks, Meter Failures{ TC "Section 5.3. Broken Seals, Meter Failures" \f C \l "2" }.

If a meter seal or lock is removed other than by County personnel or if a meter fails to register correctly or is stopped for any cause, the applicable utility bill shall be based on the average water usage for the immediately preceding 12-month period, or such shorter period of actual use.

Sec. 40-35. Adjustments.{ TC "Section 5.4. Adjustments for Leaks" \f C \l "2" }.

- A. If a customer believes his/her bill to be in error, he/she shall present a claim in person to the County Water Department 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 his/her claim.
- B. The County Water Department will make special meter readings at the request of the user upon payment of any applicable fee; provided, however, that if such special reading discloses that the meter was misread, any fee will be refunded.
- C. Meters will be tested at the request of the user upon payment of any applicable fee; provided, however that if the meter is found to be registering beyond two per cent of the correct volume, any fee will be refunded.
- D. If the seal of the meter is broken by anyone other than a County Water Department representative, or if the meter fails to register correctly or is stopped for any cause, the customer shall pay an amount estimated from his/her previous consumption and/or other available data.
- E. In the event of a water leak on the customer's side of the meter:
 - 1) Customer shall make repairs within 48 hours after notified by County Water Department personnel to qualify for an adjustment.
 - 2) Customer must provide a signed statement that the leak has been repaired by a N.C. Licensed Plumber in a satisfactory manner.
 - 3) In order to qualify for an adjustment the billed amount must be at least twice as much as the average monthly consumption over the last 12 months, unless 12 months data is not available.
 - 4) Customer shall pay the 12 month water consumption average plus, one-half the amount over the 12 month average and the County will absorb the remainder.
 - 5) Only one adjustment shall be allowed in a twelve month period.

Subdivision 5. Reductions, Interruptions and Discontinuances { TC "Reductions, Interruptions and Discontinuances" \f C \l "1" }

Sec. 40-36. Reductions, Interruptions and Discontinuances.

The County reserves the right to reduce, interrupt or discontinue service based upon certain circumstances, including but not limited to:

A. Temporary Interruptions { TC "Section 6.1. Temporary Interruptions" \f C \l "2" }. The County may at any time shut off or cease utility service in case of an accident or for the purpose of making connections, alterations, repairs, changes or for any other lawful reasons. It is not the obligation of the County to protect Owner Service Facilities connected to the County Water System from damage in the event utility service is shut off.

B. Shut Off for Default { TC "Section 6.2. Shut Off for Default" \f C \l "2" }. If a utility bill is not paid within 50 days of the statement date, utility service may without notice be suspended by the County. The County may also discontinue service after 30 days notice when a Customer violates any provisions of this Division and fails to remedy or cure such violation within the 30-day notice period.

C. Other Interruptions { TC "Section 6.3. Other Interruptions" \f C \l "2" }. In addition to other rights and remedies afforded to the County herein, the County may without notice discontinue or curtail service to prevent fraud or abuse, to protect the public health, legal process, direction of public authorities, or for strike, riot, fire, flood, accident or any other unavoidable cause.

D. Irrigation Service { TC "Section 6.4. Irrigation Service" \f C \l "2" }. The County may curtail or terminate Irrigation Service at anytime for any reason.

E. Restoration of Service { TC "Section 6.5. Restoration of Service" \f C \l "2" }. When utility service has been suspended for nonpayment of utility bills, utility service will be restored upon payment in full of all delinquent bills and any other applicable fees. Reconnections will be made at reasonable times and as rapidly as conditions permit.

Subdivision 6. Miscellaneous { TC "Miscellaneous" \f C \l "1" }

Sec. 40-37. Miscellaneous.

The following additional terms and conditions apply:

A. Access { TC "Section 1.11. Access" \f C \l "2" }. The County, its agents, contractors and employees shall have access at all times to premises receiving utility service for the purpose of operating and maintaining the County's water system.

B. Liability of the County { TC "Section 1.13. Liability of the Authority" \f C \l "2" }. The County shall have no liability on account of interruptions in utility service, erroneous shut-offs, failure to deliver water, failure to deliver water at any particular (high or low) pressure or quality, or damage to persons or property from turn-on or use of water at any premises.

C. Administration { TC "Section 1.2. Administrative Authority" \f C \l "2" }. The Manager is responsible for administering, implementing and enforcing all provisions of this Chapter, and shall exercise these responsibilities in accordance with the purpose and intent expressed herein in a fair and objective manner. The Manager may exercise discretion when necessary to administer these provisions fairly and responsibly. Any powers granted to or imposed upon the Manager may be delegated by the Manager to other County personnel.

D. Water Turn-On TC "Section 1.14. Water Turn-On" \f C \l "2" }. After filling out the application and paying all applicable fees, the Customer will have the following five (5) business days to choose the date in which the service is to be unlocked and cut on. The customer must choose between the hours of 8:00 am - 12:00 pm or 1:00 pm – 4:00 pm as the appointed time in which a responsible person must be present. It is required that a responsible person be present at the premises when a turn-on of water is scheduled. If at the time water is turned on no one is present at the premises and it is determined by the County that water is running at the premises, County personnel will turn off the flow of water and lock the meter. County personnel will then return to turn on water only when a responsible person is present, and the Customer will be charged a Service Call Fee.

E. Water Shortage Response Plan. The County’s “Water Shortage Response Plan” is attached hereto as Appendix A, and is incorporated herein by reference.

Secs. 40-38 – 40-39 Reserved.

Rates and Fee Schedule

1. Rate Schedule (Amended January 1, 2009)

A. Residential Rate Schedule:

Consumption usage of 0-2,999	\$13.50
Consumption usage between 3,000 - 5,999	\$ 2.75 per 1000 gallons
Consumption usage between 6,000 – 8,999	\$ 3.00 per 1000 gallons
Consumption usage from 9,000 and up	\$ 3.25 per 1000 gallons

B. Commercial Rate Schedule:

Consumption usage of 0-2,999	\$13.50
Consumption usage of 3,000-5,999	\$ 2.75 per 1000 gallons
Consumption usage of 6,000-8,999	\$ 3.00 per 1000 gallons
Consumption usage from 9,000 and up	\$ 3.25 per 1000 gallons

C. Industrial Rate Schedule:

Consumption usage of 0-2,999	\$13.50
Consumption usage of 3,000-5,999	\$ 2.75 per 1000 gallons
Consumption usage of 6,000-8,999	\$ 3.00 per 1000 gallons
Consumption usage from 9,000 and up	\$ 3.25 per 1000 gallons

D. Hydrant Rate Schedule:

Consumption usage of 0-2,999	\$13.50
Consumption usage of 3,000-5,999	\$ 2.75 per 1000 gallons
Consumption usage of 6,000-8,999	\$ 3.00 per 1000 gallons
Consumption usage from 9,000 and up	\$ 3.25 per 1000 gallons

2. Tap and Capital Reserve Fees

A. ¾” Meter	\$ 550.00
B. 1” Meter	\$ 750.00

- C. 2" Meter \$ actual cost
- D. Capital Reserve \$

3. Irrigation Tap and Capital Reserve Fees

- A. ¾" Meter \$ 550.00
- B. 1" Meter \$ 750.00
- C. 2" Meter \$ actual cost
- D. Capital Reserve \$

4. Capital Reserve Formula

A capital reserve for non- residential, single source users shall be calculated using the following formula:

$$\frac{\text{Estimated Monthly Usage}}{5,000 \text{ Gallon/Month}} \times \text{Capital Reserve Fee} = \text{Amount Due}$$

5. Late Fee. A late penalty of 10% shall be applied to those bills not paid within the first twenty days after the statement date.

3. Other Fees

- A. Security Deposit \$ 50.00
- B. Service Call Fee \$ 25.00
- C. Inspection Fee \$ 25.00
- D. Meter Fee \$150.00
- E. Backflow Testing & Service Restoration \$ 25.00
- F. Meter Testing Fee \$ 25.00
- G. Plan Review Fee \$150.00 – \$300.00
- H. Delinquency Fee \$ 25.00
- I. After Hour Fee \$ 25.00
- J. Cut Lock Fee \$ 5.00
- K. Tampering Charge \$200.00
- L. Credit Letter Fee \$ 5.00
- M. Miscellaneous Administrative Fee
 - Return Check Fee \$ 25.00
 - Copies \$.25
 - Certified Postage \$ 3.24

- Replace Angle Stop \$ 35.00
- Plug Meter Fee \$ 50.00
- Pull Meter Fee \$ 50.00

Changes are proposed to be incorporated in to the Code of Ordinances rather than “Rules and Regulations” to “Ordinance” for enforceability. Commissioner Sampson stated that he is not prepared to increase fees in this economy. Chairman Jones asked that additional fees be outlined. Commissioner Sisk moved to schedule a public hearing for 7:00 p.m. on December 7, seconded by Commissioner Allen and unanimously carried. Commissioner Tyson stated that a figure for a capital reserve needs to be inserted for the public hearing. Commissioner Jones also stated that he is not prepared to enact all of these proposed measures at the next meeting and Commissioner McCabe concurred.

At 10:10 a.m. Commissioner Sisk moved to adjourn, seconded by Commissioner McCabe and unanimously carried.

Chairman Jason R. Jones
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board