

RULES and REGULATIONS
of
TRUSSVILLE GAS AND WATER

TRUSSVILLE, ALABAMA

GOVERNING SERVICE TO CUSTOMERS

Adopted by The Board of Directors

October 29, 2024

To Be Effective Immediately

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SECTION 1. DEFINITIONS

As used in these Rules and Regulations, the following words and terms shall be defined as follows:

- a. Board – Utilities Board of the City of Trussville d.b.a. Trussville Gas and Water, including its duly authorized members, agents, and employees.
- b. Customer - Any party that receives water or gas service from the Board or that is legally or equitably responsible under either an express or implied contract requiring such party to pay the Board for water or gas service.
- c. Depositor - Any party that enters into an agreement with the Board for the installation of water lines, gas lines, service connections, or for any service rendered by the Board for which a deposit may be required.
- d. Single Premises -
 - (1) A single lot or tract of land with one or more buildings and their appurtenances on it; or
 - (2) Two or more lots or tracts of land with a single building or multi-buildings situated on them if the buildings are interconnected by means of interior doorways or passageways.
- e. Service Connection (Tap) - The attachment of a service line to the water main or gas main of the Board. A service connection shall include all pipe, fittings, and accessories necessary for that purpose.
- f. Service Line - All pipe and accessories extending from the service connection at the main to and including the meter.

- g. Customer Service Pipe - A pipe used to conduct water or gas from the meter to a point of use within a premises.
- h. Fire Service - A customer service pipe extending from the water main of the Board into a premises for the extinguishment of fires only.

SECTION 2. GENERAL RULES GOVERNING SERVICE

- a. These rules and regulations in their entirety, as herein set forth or as they may hereafter be altered or amended by the Board, shall govern the rendering of water service and gas service, including repairs, extensions, or any other purpose whatsoever of mains and the making of connections thereto. Every Customer, upon the signing of an application for water service or gas service or upon the receiving of water service or gas service, shall be bound hereby.
- b. All determinations, decisions, estimates, or matters of judgment of any sort referred to herein shall be made by the Board, in its sole discretion, and shall be binding upon every Customer.
- c. The Board does not guarantee a uniform pressure or an uninterrupted supply of water or gas. The Board shall not be liable for any damage caused by interruption in service, inconsistent pressure, varying quality of water or gas, or for any other cause whatsoever.
- d. The Board endeavors to supply clean, wholesome water to its Customers at all times. Due to circumstances beyond the Board's control, however, discolored water may occasionally enter the system. The Board will use every reasonable effort to clear up the discolored water as soon as reasonably possible. The Board shall not be liable for damage to any Customer's plumbing or other property, including staining of clothing caused by discolored water.

- e. The Board reserves the right to temporarily discontinue water and/or gas service from any of its distribution mains without notice when necessary or desirable for the purpose of making repairs, extensions, or connections, or for any other purpose whatsoever. The Board shall incur no liability for any damages or loss of revenue, including damage to any Customer's plumbing or other property resulting from the interruption of service or from the resumption of service without notice after such interruption.
- f. The Board shall have the right, without notice, to discontinue immediately service to any Customer for violation of any Rules and Regulations.
- g. The Board, in its sole discretion, may from time to time waive its right to enforce any of these regulations in a particular circumstance, but such action shall not constitute a waiver of the right to enforce the regulation in question as to any other circumstance then or thereafter existing.
- h. The Board reserves the right at any time to alter, amend, delete from, or add to these Rules and Regulations or to substitute other Rules and Regulations in lieu hereof. Such action will be binding upon every Customer from the effective date of such action.
- i. The Board shall retain title to all meters, regulators, and other property furnished by the Board. Customer shall be responsible for the safekeeping of Board property placed upon premises where the Customer receives services.
- j. Customer shall guarantee free right of access, ingress, and egress by the Board and its subcontractors to meters, regulators, and other property of the Board located on Customer's premises for the purpose of inspection, meter reading, construction, reconstruction, maintenance, and/or repair of Board property.

- k. Customer shall keep in good repair and maintain all appliances and piping on Customer's premises (other than property maintained by the Board such as meters and regulators) and shall notify the Board prior to any repairs. Customer shall immediately report any leaks discovered to the Board. Customer shall indemnify and hold the Board harmless against any liability, loss, or damage due to improperly installed or maintained appliances or piping.

SECTION 3. APPLICATION FOR SERVICE

- a. All persons, or their authorized agents, desiring water or gas service through an existing service line shall make application online at Trussville.com or in writing at the office of the Board on forms supplied by the Board. Applications by letter or telephone may be accepted at the option of the Board. Online, letter and telephone applicants must fill out, sign, and return within ten (10) days an application, along with the correct amount of deposit, to the Board's main office located at 127 Main Street, Trussville, Alabama 35173. In the event the Board has not received the properly executed application and/or deposit within ten (10) days of requested service, the Board may discontinue service and assess a service charge. A final bill will be rendered to the applicant for gas and/or water usage registered since the date the gas and/or water service was turned on, along with any other charges.
- b. Application for transfer of service from one premises to another may be made online at Trussville.com or by telephone and, when so made by telephone, is subject to all the Rules and Regulations of the Board just as if the Customer had signed a paper Application for Service.

- c. Information furnished to the Board by the applicant or his authorized agent will be kept on file by the Board; if any information provided by the applicant in the application is found to be inaccurate or if the applicant is found not to be in compliance with the conditions set forth on the Application for Service form signed when the application is approved, service to the premises may be immediately discontinued by the Board. The applicant shall designate to the Board the address where the bill will be sent. In the event the applicant designates a billing address that is not the applicant's residence address, the applicant shall remain responsible for all charges whether the applicant actually receives the bill or any notice of delinquency or discontinuance of service. Applicant further releases the Board from any liability or damages incurred as a result of not receiving any notice, billing, or correspondence from the Board. The applicant shall be responsible to inform the Board of any change of address.
- d. Any change in the identity of the contracting Customer at any given premises requires a new application. The Board may, after reasonable notice, discontinue water service and/or gas service until such new application has been duly made and accepted. Should the new Customer fail to make application online at Trussville.com or at the office of the Board within seventy-two (72) hours after beginning the use of water or gas, he shall be liable for all water and/or gas charges accrued since the last reading of the meter prior to the date of his beginning the use of water or gas.
- e. Whenever an application is made for service to a premises, and the Board is aware of a dispute as to the ownership or the right of occupancy of the premises, the Board reserves the right to adopt either of the following courses:

- (1) To treat the applicant in actual possession of said premises as being entitled to such service; or
 - (2) To withhold service pending a judicial determination or other settlement of the right of occupancy of the various claimants.
- f. The applicant shall provide all information requested by the Board which the Board deems necessary to provide service.
- g. Applicant shall pay the applicable set up fee. The set up fee for gas service is fifteen dollars (\$15.00). The set up fee for water service is ten dollars (\$10.00). The set up fee for an account that has previously been turned off for failure to pay is fifty dollars (\$50.00).

SECTION 4. APPLICATION FOR SERVICE CONNECTION

- a. Application for a connection to the mains of the Board must be made at the office of the Board by the owner of the premises to be served, or by his duly authorized agent.
- b. The applicant, or his authorized agent, shall identify the property to be served to the satisfaction of the Board before an authorization for a connection to the Board's mains will be issued.
- c. The applicant, or his authorized agent, shall state the purpose for which water and/or gas is to be used and shall furnish information regarding water-using fixtures and gas appliances to be used sufficiently to enable the Board to determine the minimum diameter of the service connections and the size and type of the meter to be installed.
- d. Each application shall be accompanied by payment to the Board of applicable fees.
- e. Upon approval of the applicant's request for a connection and payment of the applicable fees as set forth in section 4d above, the Board will schedule actual tap or connection work to be performed. Ownership of the meter shall remain vested in the Board.

- f. Receipt by the Board of an application for a connection shall not obligate the Board to make such connection. If the service applied for cannot be supplied in accordance with the Board's Rules and Regulations or the applicable regulations or ordinances of other public authorities, or because of physical limitations of the Board's water and/or gas distribution system, no connection shall be made. In the event no connection is made, the liability of the Board shall be limited to the return of any applicable fee paid to the Board by the applicant.
- g. The Board will not be required to provide service to a residential gas customer that is presently being served by another gas utility unless the Customer meets the criteria established by the Board.

SECTION 5. RESIDENTIAL WATER MAIN FEE

- a. A residential water service main fee shall be charged to any customer that connects to the water system. The fee shall not apply to any customer that replaces a previous customer at the same location without the addition or expansion of service.
- b. The following definitions shall apply to this section:
 - (1) Additional or Expanded Service Owner - That individual or entity that owns a lot or an existing water main which is adding an additional service or expanding a previously existing service.
 - (2) Builder - An individual or entity licensed in the State of Alabama to construct houses that has purchased a subdivision lot, or has entered into a contract with an owner of a subdivision lot to construct a house at the time application is made to set a meter for residential service for said subdivision lot.

- (3) Customer - An individual or entity, including but not limited to a Developer, Builder, New Service Owner, Resubdivided Lot Owner, an Additional or Expanded Service Owner which is making a connection to the water system or expanding previous service from the water system.
- (4) Developer - The individual or entity that submits the subdivision map or plat indicating the layout and/or location of streets, lots, setbacks, curbs, gutters, utilities easements, drainage easements, and topographical contours to the Board for approval in order to install water mains and lines in said subdivision.
- (5) Main Fee - The charge imposed for the addition of a new residential customer to the water system.
- (6) New Service Owner - The individual or owner that requests service from an existing main at a new location (that does not replace a previous customer).
- (7) Resubdivided Lot Owner - The individual or entity that owns a lot that has been resubdivided after the Board has approved the original subdivision plat for the installation of water mains and lines.
- (8) Subdivision Utility Layout - The requirements set forth in Section 20 concerning Water and Gas Installation Requirements for Developers.

c. Payment of Main Fee. The charge for connection of a new customer to the water system. The main fee shall be collected for each lot which is added to the system. The main fee shall be at least one thousand eight hundred fifty dollars (\$1,850.00) per lot, which shall be paid as follows:

- (1) New Subdivision.

- a. The Developer will pay the amount of nine hundred twenty-five dollars (\$925.00) per lot at the time of submission of the Subdivision Utility Layout to the Board.
 - b. The builder will pay the amount of nine hundred twenty-five dollars (\$925.00) per lot at the time an application is made to set a meter.
- (2) New Service Owner. The new service owner will pay the amount of one thousand eight hundred fifty dollars (\$1,850.00) per lot when an application is made for the installation of a meter. Said one thousand eight hundred fifty dollars (\$1,850.00) shall include the cost of the Service Connection (Tap) fee charged by the Board.
- (3) Additional or Expanded Service Owner. The amount of one thousand eight hundred fifty dollars (\$1,850.00) shall be paid for (a) each additional service, and (b) the expansion of previously existing service for each lot. Said one thousand eight hundred fifty dollars (\$1,850.00) shall include the costs of the Service Connection (Tap) fee charged by the Board. Said fee shall be paid when application is made for additional or expanded service.
- (4) Resubdivided Lot Owner. The resubdivided lot owner shall pay at least the amount of one thousand eight hundred fifty dollars (\$1,850.00) per new lot at the time application is made for a new meter. Said one thousand eight hundred fifty dollars (\$1,850.00) shall include the costs of the Service Connection (Tap) fee charged by the Board.
- (5). Exceptions can be made to the costs of the main fee as determined by the Board.
- d. Extension Costs. In addition to the main fee, the customer will continue to be responsible for all costs, labor, and material for the installation of all water system extensions within

or to any new development, phase, or sector, as set forth in the requirements for the Subdivision Utility Layout.

- e. Determination of New Areas to Receive Water Service. The Board, in its sole discretion, shall determine which new areas will receive water service. Said determination shall be based on the Board's judgment of the availability of water, taking into consideration, among other factors, the ability of the system to provide adequate water and fire protection service to existing customers, the cost and expense to maintain, upgrade and/or expand the water system.
- f. Costs of Upgrade and Expansion. In the event the Board approves a properly submitted Subdivision Utility Layout, the approval may be subject to the upgrade and/or modification of the existing water system. In the event the Board determines, in its sole judgment based on an internal assessment of the economic viability of the upgrades and/or modification of the new service or development, that the costs associated with the upgrade and/or modification of the water system for the new service or development shall be recouped by the Board within ten years, then the Board may provide the customer with limited or full reimbursement for the cost of upgrades and/or modifications. The customer must submit their plans to the Board for any upgrades and/or modifications prior to commencement and obtain approval of any cost reimbursement to be provided. The customer shall be responsible for all upgrade and/or modification costs in excess of any reimbursement agreed to in advance by the Board for the new service or development prior to the approval of said Subdivision Utility Layout.
- g. Punch Charge. For any location where the water main is located across the street from a residence, a road crossing fee shall be charged in addition to the connection fee set out

above, at the rate of twenty dollars (\$20.00) per foot for service connections three-quarters inch (3/4") and one inch (1") in diameter; and forty dollars (\$40.00) per foot for service connections two inches (2") in diameter.

- h. The line charge for service connection shall be calculated for water mains installed at the expense of an individual or other entity at a cost pro-rated by the total cost of the extension, divided by the number of lots. The total line charge shall not exceed the total costs of the main extension.

SECTION 6. GAS SERVICE LINE CHARGE

- a. There shall be no charge for houses or mobile homes that use natural gas supplied by the Board as its primary source for energy for main level interior heating and water heating if the service line does not exceed 200 feet from an existing gas main. There shall be a charge of \$6.00 per foot for any distance over 200 feet.
- b. For houses or mobile homes which do not use natural gas supplied by the Board as its primary source of energy for main level interior heating and water heating (the only gas used is for a gas light, log lighter, gas logs, gas grills, generator, cook tops and/or ranges), there shall be a seven hundred fifty dollar (\$750.00) service line charge for services not exceeding two hundred feet (200') from an existing gas main. There shall be an additional charge of six dollars (\$6.00) per foot for any distance over two hundred feet (200').
- c. Commercial property only utilizing Natural Gas supplied by the Board to operate generator(s), there shall be a seven hundred fifty dollar (\$750.00) service line charge for services not exceeding two hundred feet (200') from an existing gas main. There shall be an additional charge of six dollars (\$6.00) per foot for any distance over two hundred feet (200').
- d. Charges for crossing roads may apply to service lines regardless of use.

SECTION 7. SERVICE CONNECTIONS

- a. All connections made to the mains of the Board shall be made only by Board personnel, or by authorized agents of the Board. The Board may specify the size, kind, and quality of all materials to be used in the service connection and service line.
- b. Not more than one water service connection shall be installed to supply a single premises, except that a private fire service or sprinkler system connection may also serve a premises having a regular domestic service connection. Where fire service and/or sprinkler system and domestic service connections are installed to supply the same premises, the systems shall be kept separate with no physical connection of any kind whatsoever between the two systems. Said connection shall be in accordance with the Cross Connection and Siphonage requirements as set forth in Section 16.
 - (1) If two or more premises are combined or consolidated into one, all service connections except one will be disconnected by the Board. The Board may at its discretion leave any service connection and service line between the Board's water main and/or gas main and previous meter location so that it can be reactivated.
 - (2) In the event a property owner acquires several adjacent premises with individual service connections and razes all existing structures on the property with the intent of erecting one new structure on the acquired property, all individual service connections serving the original multiple premises shall be disconnected at the Board's main. The Board shall be notified by the property owner in advance so the disconnection can be approved, salvageable property owned by the Board removed, and the Board's records corrected.

- c. Service connections will be authorized and meters set for "landlocked" premises at the sole discretion of the Board. A "landlocked" premises is one which does not abut any public roadway, street, or highway. The Board may require, prior to authorization of such service connection, that the owner furnish any legal documents, including easements, properly recorded in the Office of the Probate Judge of the county where the property is located, describing the location of the premises. The Board may, in its sole discretion, require a visual inspection of the premises prior to authorizing the service connection. The Board reserves the right to specify the location of the service connection and meter for a "landlocked" premises.
- d. In the event a service line is inactive and unused, the Board specifically reserves the right to disconnect said service line at the Board's main in lieu of repairing leaks in said service line.

SECTION 8. SERVICE LINES AND FIXTURES

- a. Water and/or gas will not be supplied through any service line, fixtures, pipes, appliances, or appurtenances which the Board may, in its sole discretion, consider detrimental to its water and/or gas system or which might unnecessarily waste water and/or gas.
- b. The Board reserves the right to require the Customer to install at his expense any device necessary to protect the potable water in the Board's mains. Such devices may include backflow preventers, check valves, or any other device approved by the Board and acceptable to the health authority and the plumbing authority having jurisdiction over the premises in question.
- c. No person except an employee of the Board or a person specifically authorized by the Board is permitted to turn the water and/or gas on or off at the meter. In the event it

becomes necessary for the Board to turn off water and/or gas due to problems on the Customer's side of the meter, a fee shall be charged as follows:

During normal working hours (8:00 a.m. - 4:30 p.m.) Monday through Friday:

Water	-	\$50.00
Gas	-	\$50.00

After normal working hours and Holidays:

Water	-	\$75.00
Gas	-	\$75.00

- d. The Board shall not be liable for any damages to the Customer's service pipe, plumbing, fixtures, appliances, or property alleged to be caused by high pressure, by low pressure, or by fluctuation of pressure. It is the responsibility of the Customer to provide at his expense any regulating devices or appurtenances required to adjust the pressure serving his premises to a pressure suitable for his requirements.
- e. The Board shall have the right, but shall not be so obligated, to inspect any service line installation or plumbing system before water service and/or gas service is furnished. The Board reserves the right to refuse to initiate or to continue service to any service line, plumbing, or other installation not installed, operated, or maintained in accordance with these Rules and Regulations applicable plumbing or fuel gas codes, or other requirements of the Board. Local ordinances may require an inspection by local government prior to establishment of service.
- f. Any failure to inspect, accept, or reject a Customer's service line installation, plumbing system, or appliances shall not render the Board liable or responsible for any loss or damage which might have been avoided had such inspection, acceptance, or rejection been made.

- g. Each Customer service pipe for water must, at the expense of the owner, be provided with a shut-off valve to be placed between the meter and the first outlet in the service pipe and be under the control of the Customer, such shut-off valve to be used in the case of breakage of the service pipe or fixtures or for making repairs or to shut off water to prevent freezing.

SECTION 9. METERS

- a. The Board shall determine the type and size of meter to be installed. All meters (except meters or detector devices installed on private fire service lines by and at the expense of Customers) shall be furnished, installed, and removed only by the Board and shall remain its property except as herein provided.
- b. Meters will be maintained by the Board at its expense insofar as ordinary wear is concerned, but damage due to any external causes arising out of or caused by the negligence, carelessness or willful misconduct of the Customer shall be paid for by the Customer.
- c. After being installed, no meter shall be tampered with or removed without the consent of the Board.
- d. Neither the Customer, nor the Customer's agent or plumber shall install a pressure regulator or any other device inside the meter box or meter vault.
- e. The Board may, at its own expense, make routine tests of meters when it considers such tests desirable.
- f. The Board, at its expense, will make additional tests of its meters at the request of the Customer, but not more than once every twelve (12) months. More frequent tests will be made at the request of the Customer only upon the payment of the actual cost of making such test.

- g. The Customer shall promptly notify the Board of any defect in or damage to the meter or its connections.
- h. Where water or gas is furnished through a meter, the quantity recorded by it shall be taken to be the amount passing through the meter, except where the meter has been found to be registering inaccurately or has ceased to register. In such cases, the quantity may be determined by the average registration of the meter when in order, or by such other method to be determined by the Board to be fair and reasonable.
- i. Each premises shall have a separate meter with the exception that duplex houses, apartment houses, office buildings, or business blocks may, in the Board's sole discretion, be served through a single water meter, in which case one party must assume responsibility for the payment of the bills for water service for all premises so supplied. The Board may, at its discretion, serve natural gas and/or water through a single meter to another agency that meets applicable regulations.
- j. The Board must have easy access to the meter and reserves the right to designate meter locations. In the event the Board does not have adequate access and/or determines that a meter needs to be relocated, the expense of said relocation shall be borne by the Customer. If Customer fails to comply, the Board may refuse to render service through said meter or meters.
- k. Prior to installation of the meter, the customer shall have the property at the location of the meter prepared so as to match the final grade of the area. The meter shall be located such as to minimize water accumulation.

- l. The Board may provide a water leak adjustment no more than once every five years with proper confirmation that said leak has been repaired on the domestic meter. There will be no water leak adjustment on irrigation meters.

SECTION 10. TEMPORARY SERVICE

- a. Customers requiring temporary service shall pay a turn on service charge of fifteen dollars (\$15.00) for gas service and ten dollars (\$10.00) for water service.
- b. Customers requiring temporary service shall be required to pay all costs as determined by the Board for connection and disconnection incidental to supplying and removing service in addition to the regular charge for water and gas used. This rule applies to circuses, carnivals, fairs, shows, temporary construction, and all other temporary services.
- c. The Board may require such advance payment or deposit as it deems sufficient.
- d. Any person, firm, or organization desiring temporary service from a public or municipal fire hydrant must first make application for temporary service. The Board may require advance payment, a deposit, or written assurance of later payment for water to be drawn from the fire hydrant. A fifteen hundred dollar (\$1,500.00) refundable deposit and a two hundred fifty dollar (\$250.00) nonrefundable set-up fee shall be required to ensure the safekeeping of the fire hydrant meter. The refundable deposit will be reimbursed, provided the fire hydrant is undamaged and the meter and backflow preventer are returned in good operating condition. There will be a one hundred dollar (\$100.00) service charge each time the meter is relocated. Hydrant meters will be installed and locked into place by the Board's service personnel.
- e. Authorization for the temporary service will be conditioned upon the applicant or his authorized agent providing for adequate protection for the temporary meter. Whatever

protection is required by the Board will be installed by and at the expense of the applicant or his authorized agent. The applicant will be held liable for any damage to the meter, meter box, or any other Board equipment.

SECTION 11. MULTIPLE PREMISES

- a. In case two or more premises are supplied through one meter, one party must assume responsibility for the full payment of the water bill for all premises so supplied. Should said party fail to pay the charges for water when due, or should the owner or occupant of any one premises violate any regulations of the Board, the Board may discontinue service to all premises so supplied.
- b. When more than one residential dwelling is served by a single residential meter installed prior to October 24, 2009 and the owner of one of the residential dwellings requests a separate meter to serve only his existing residential dwelling, the Board will install a new meter, whether or not the installation meets the pressure and fire flow requirements of Section 19(a) if the following criteria are met:
 - (1) This provision only applies to residential dwellings.
 - (2) No additional demand or increase in water meter size is requested.
 - (3) Customer is responsible for all cost to set new meter, tap, and (or) road punch.
 - (4) A minimum residual pressure of 25 psi is available at the meter during normal demand.
 - (5) Meter location will be in the same vicinity of the existing meter that was previously supplying the said dwelling.

c. Shopping centers, office complexes, mobile home parks, motels, hotels, apartment complexes, and other such developments located on a single premises will, if the Board approves, be supplied through one meter and the minimum charge will be that established by the Board for the meter in the service line.

SECTION 12. BILLING

- a. Customer shall pay for service at the regular scheduled rates as set by the Board.
- b. Bills may be rendered monthly, bimonthly, or quarterly, at the option of the Board, in accordance with the Rate Schedule in effect at the time of billing. The Rate Schedule may be modified or amended at any time by the Board, with or without advance notice to the Customer. The current Rate Schedule is available upon request.
- c. Water and gas bills are due and payable when rendered and shall be delinquent if not paid within ten (10) days of the due date. The Board may, without notice, at any time discontinue service to a Customer whose payment is delinquent.
- d. In the event the Customer fails to pay the delinquent bill and the Board sends an employee to the Customer's premises for the purpose of disconnecting the service, a collection fee of thirty dollars (\$30.00) for each trip to the Customer's premises shall be added to and then becomes a part of the delinquent account.
- e. Whenever service is discontinued for nonpayment, a reconnection fee shall be paid by the Customer to the Board before service is restored by the Board in the normal course of business. If it becomes necessary to discontinue service at the main for nonpayment of a bill or infraction of the Rules and Regulations, the Customer will be required to pay all costs incurred, plus an applicable charge for overhead expense, for discontinuing and restoring service.

- (1) The minimum water reconnection fee shall be fifty dollars (\$50.00) for each reconnection of service performed between 8:00 a.m. and 3:00 p.m., Monday through Friday. The minimum charge will be seventy-five dollars (\$75.00) if performed after these hours or on weekends or Holidays. The maximum reconnection fee shall be all costs incurred, plus overhead charges (including but not limited to labor, transportation, paving, backfill material, etc.) to discontinue service at the main and to restore service at the main. In addition to the reconnection fee, the Customer shall also pay all outstanding charges for the account.
- (2) The minimum gas reconnection fee shall be fifty dollars (\$50.00) for each reconnection of service performed between 8:00 a.m. and 3:00 p.m., Monday through Friday. The minimum charge will be seventy-five dollars (\$75.00) if performed after these hours or on weekends or Holidays. The maximum reconnection fee shall be all costs incurred, plus overhead charges (including but not limited to labor, transportation, paving, backfill material, etc.) to discontinue service at the main and to restore service at the main. In addition to the reconnection fee, the Customer shall also pay all outstanding charges for the account. The customer is responsible for any inspection fees required by local government due to interruption of service.

f. The Board may, in its discretion, decline to render a periodic statement if the total debit or credit reflected thereon is less than One Dollar (\$1.00). In the event a statement is not

rendered, the appropriate debit or credit for the billing period in question shall be added to the next regular statement to the Customer.

- g. All payments due the Board are payable at the office of the Board or to its duly authorized collectors or collection agencies. Payments made at the office of the Board may be in the form of cash, check, money order or credit/debit card. Payment with loose coins in any amount over five dollars (\$5.00) must be presented as rolled coins.
- h. Bills and notices of the Board will be mailed to the Customer's last address as shown on the records of the Board. Failure to receive any bill or notice shall not relieve the Customer of any responsibility under these Rules and Regulations and shall not act to extend the time of payment of any bill due. Customer shall not receive service at a new address unless bills for service at a prior location have been paid. Any unpaid bill for service rendered at a prior location may be added to any current bill for service and shall be due and payable when the current bill is due.
- i. For each check returned to the Board by the Customer's bank for insufficient funds or because the bank account is no longer operative, a returned check charge, in the amount of thirty dollars (\$30.00), shall be added to the Customer's next statement. In the event a Customer has a check returned for insufficient funds or if the bank account is no longer operative, the Board may require cash payment.
- j. Customer shall be responsible for and agrees to pay all costs and expenses, including a reasonable attorney's fee, incurred by the Board in collecting or attempting to collect any sums due from the Customer.
- k. Customer shall notify the Board in writing seven (7) days prior to vacating Customer's premises or discontinuing service for any reason.

SECTION 13. GUARANTEE DEPOSITS

- a. Any Customer, when called upon by the Board, shall deposit such reasonable sums of money as may be required by the Board as a guarantee for payment of water and/or gas service charges at his premises.
- b. The minimum water deposit shall be twenty-five dollars (\$25.00) for those Customers who rent or are businesses. The maximum water deposit shall be at the sole discretion of the Board and shall be based on the service records of the new account, account history of the Customer, type of premises to be served, diameter of water meter on service connection and/or the Board's estimate of usage.
- c. The minimum gas deposit shall be one hundred dollars (\$100.00) for those Customers who rent or are businesses. The maximum gas deposit shall be at the sole discretion of the Board and shall be based on the service records of the account, account history of the Customer, type of premises to be served and/or the Board's estimate of usage.
- d. The Board may require an additional deposit if deemed necessary to secure any account. If the collection of an account is processed through the Board's collection attorney, the customer will be required to pay their regular deposit plus a minimum additional deposit of \$150.00 prior to re-establishing service.
- e. The Board reserves the right to discontinue water and/or gas service to the premises of the Customer and to apply the deposits described in Section 13(a), (b), (c) and (d) to payment of accrued service charges upon failure of the Customer to pay the charges for services rendered. The deposit shall not be considered as a payment on account during the time the Customer is receiving regular water and/or gas service.

- f. Upon discontinuance of use of water and/or gas at any premises and settlement of all charges, any unused portion of such deposit amount of One Dollar (\$1.00) or more shall be refunded by mail to the Customer. Any deposit of less than One Dollar (\$1.00) will be refunded to the Customer upon application at the office of the Board. When a Customer moves from one premises to another, any charges, deposits, or credits applicable to the old premises may be transferred, at the option of the Board, to the account at the Customer's new premises, and the Board may discontinue service at the new premises for nonpayment of any indebtedness for water and/or gas service that was incurred at the former premises.
- g. No deposit shall be transferable or assignable by the Customer unless sufficient evidence is presented showing ownership of the deposit and the Board, in its sole discretion, approves such transfer or assignment.
- h. The Board will not pay any interest on any deposit.

SECTION 14. PRIVATE FIRE SERVICE CONNECTIONS

- a. Application for fire service connections to be attached to the Board's mains for the extinguishment of fires shall be made only by the owner of the premises to be served, or by his duly authorized agent. Private fire service fees shall be charged at the following annual rate:
 - (1) Four inch (4") connection will be billed two hundred twenty-five dollars (\$225.00) per year;
 - (2) Six inch (6") connection will be billed three hundred fifty dollars and four cents (\$350.04) per year;
 - (3) Eight inch (8") connection will be billed five hundred fifty dollars and eight cents (\$550.08) per year;

- (4) Ten inch (10") connection will be billed one thousand five hundred dollars (\$1,500.00) per year;
 - (5) Twelve inch (12") connection will be billed three thousand five hundred two dollars and fifty-six cents (\$3,502.56) per year;
- b. Fire service connections will not be authorized by the Board until the applicant has furnished to the Board approved detailed drawings of the premises, all appurtenances, and the proposed fire service system which the connections will serve. The applicant shall also furnish to the Board on request all information regarding the installation, alterations, and operation of the fire service system.
- c. Activation of the fire service will not be authorized by the Board unless requested by the owner of the premises, or his authorized agent.
- d. Not more than one fire service connection to the Board's mains shall be made to a single premise unless specifically authorized by the Board. If more than one fire service connection should be authorized, the Board reserves the right to specify the design of the connections and protective devices to be installed, at the Customer's expense, on all proposed or existing services attached to the Board's mains.
- e. No water shall be taken through such private fire service connections except for the extinguishment of fire or for testing purposes. A Customer must notify the Board in advance of conducting tests.
- f. The Board reserves the right to require the Customer to install on proposed or existing private fire services, at the Customer's expense, a detector device or devices of a design specifically approved by the Board to prevent backflow or to monitor the leakage or unauthorized use of water through the private fire service connection. The Board reserves

the right to require routine tests, at the Customer's expense, of backflow prevention devices owned by the Customer. Backflow prevention devices shall be in accordance with the Cross Connection and Siphonage requirements in Section 16.

- g. Whenever leakage or unauthorized use of water occurs in a private fire service, the Customer will be notified by the Board to have the leakage repaired and stopped, or to discontinue the unauthorized use of water. Unauthorized use shall be discontinued immediately; the Customer will be given a reasonable period of time, not to exceed thirty (30) days from the date of notification, to repair a leak. If unauthorized use continues or if leakage continues beyond the date specified to the Customer, the street valve will be closed and service will be discontinued. After a leak has been repaired and written assurance has been furnished to the Board by the Customer that the conditions of Section 14(f) will be complied with, service will be restored provided that service charges are current.
- h. The owner shall install a valve on the fire service line in addition to the street valve at the service connection to the Board's main; said valve shall be located at or as close to the property line as practicable. The owner or his representative shall operate and maintain the fire service system from the valve at the property line, and not by the street valve over which the Board has sole control of operation.
- i. The Board is not responsible for maintaining any portion of the fire line past the street valve.

SECTION 15. UNAUTHORIZED USE AND CONNECTIONS

- a. No person shall turn on or turn off any of the Board's street valves, meter valves, fire hydrants (except for fire department personnel) or other connections, or disconnect or remove any meter without permission of the Board.

b. No person shall make any connection to any main of the Board or to any pipes between the main and the meter without the express permission of the Board. If such an unauthorized connection is discovered, service may be immediately discontinued at the option of the Board. Service may thereafter be restored at the option of the Board, provided that:

- (1) payment of all charges for water and/or gas used (based on meter measurements or reasonable estimate) is made to the Board, and
- (2) all materials previously installed are of the same type as those required by the Board for connections installed by the Board. If the previously installed service connection does not have the same type materials as those required by the Board, all cost of replacement with standard materials must be paid to the Board before service will be reinstated.

c. In addition to the required deposit, an additional minimum deposit of two hundred dollars (\$200.00) will apply for gas and an additional minimum deposit of one hundred dollars (\$100.00) for water will be required for unauthorized or illegal service.

d. For theft of services and/or unauthorized gas and/or water use, tampering and/or damage of the Board's water and/or gas meters and equipment the following fees will be due and payable prior to the reconnection of services:

- | | |
|--|----------|
| (1) Broken Meter Lock | \$ 80.00 |
| (2) Fee for pulling meter | \$ 62.50 |
| (3) Unauthorized use and/or tampering charge, First offense – Water | \$100.00 |
| (4) Unauthorized use and/or tampering charge, Second offense – Water | \$500.00 |
| (5) Unauthorized use and/or tampering charge, First offense – Gas | \$250.00 |
| (6) Unauthorized use and/or tampering charge, Second offense – Gas | \$750.00 |

SECTION 16. CROSS CONNECTIONS AND SIPHONAGE

- a. The Board, in its operation of a public potable water supply system, endeavors to protect the public health through the provision of minimum requirements and standards for design, construction, operation, and maintenance of the system. Physical cross-connections, which have the potential to create a public health risk should be eliminated from the distribution system. In order to minimize the risk of contamination, the Board has established and maintains a Cross-Connection Control Program to control the actual and/or potential cross connections through the methods of containment and/or isolation.
- b. The Alabama Department of Environmental Management (ADEM) requires public water supply systems to establish a routine Cross-Connection Control Program for the purpose of detecting and preventing cross-connections that create or have the potential to create an imminent and substantial danger to public health by and from contamination due to the cross-connection. Upon detection of a prohibited cross-connection, the Board shall either eliminate the cross-connection by requiring installation of an appropriate backflow prevention device acceptable to the Board or discontinue service until the contaminant source is eliminated. Such program shall be developed utilizing accepted practices of the American Water Works Association guidelines as set forth in AWWA manuals M14, "Backflow Prevention and Cross Connection Control" and "*Cross Connections and Backflow Prevention*," 2nd edition.
- c. The following definitions shall apply to this section:
 - (1) Backflow - The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable supply of water from any source or sources other than its intended source.
 - (2) Back Pressure - Backflow caused by a pump, elevated tank, boiler or other means

that could create pressure greater than the supply pressure.

- (3) Back Siphonage - Backflow due to a negative or subatmospheric pressure within a water system.
- (4) Backflow Prevention Device - A device to counteract back pressure or prevent back siphonage.
- (5) Backflow Prevention Device (Approved): - A device that has met the requirements of one or more of the following standards:
 - AWWA - C-505 Standard for backflow prevention devices, reduced pressure principle and double check valve types.
 - ASSE – 1020 Pressure type vacuum breakers.
 - ASSE – 1024 Dual check type backflow preventer (residential use only)
 - ASSE – 1013 Reduced pressure principle back pressure backflow preventers.
 - ASSE – 1015 Double check valve type back pressure backflow preventers.
 - USC – FCCC University of Southern California Foundation for Cross-connection control and Hydraulic Research.
- (6) Containment - A method of controlling potential and/or confirmed cross-connections by installation of a double check assembly or a reduced pressure principle backflow prevention device.
- (7) Cross-Connection - Any physical arrangement whereby a public water supply system is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, sprinkler systems (fire protection and irrigation), or other device which contains or may contain contaminated water, sewage, or other waste or liquid of unknown or unsafe quality, which may be capable of imparting contamination to the Board's water supply system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, or any other temporary or

permanent devices through which or because of which backflow could occur are considered to be cross-connections.

- (8) Double Check Valve Assembly - An assembly composed of two single, independently acting check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve.
- (9) Health Hazard - Any conditions, devices, or practices in any water supply system or in its operation which create or may create a danger to the health and well-being of the water consumer.
- (10) Isolation - A method of controlling potential and/or confirmed cross-connections.
- (11) Reduced Pressure Principle Backflow Prevention Device - A device incorporating two or more check valves and an automatically operating differential relief valve located between the two check valves, two shutoff valves, and equipped with necessary appurtenances for testing. The device shall operate to maintain the pressure in the zone between the two check valves, less than the pressure of the Board's water supply side of the device even at cessation of normal flow. In the case of leakage of either check valve, the differential relief valve shall operate to maintain this reduced pressure by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere, thereby providing an air gap in the device. This air gap shall be above the 100-year flood level.

d. Responsibility:

- (1) The Board is responsible for the protection of its public potable water distribution system from backflow of contaminants or pollutants through any water service connection. If, in the judgment of the Board, an approved backflow prevention device is required at the water service connection to any of its customer's premises for the safety of the users of the water system, the Board shall give notice in writing to the customer that an approved backflow prevention device shall be installed at the customer's expense.
- (2) Failure, refusal, or inability on the part of the customer to meet the Board's time schedule for installation of this device or devices shall constitute grounds for discontinuance of water service until such device or devices have been properly installed. Any licensed plumber may install the proper device in the correct manner.
- (3) Compliance testing after initial installation of a backflow prevention device shall be performed by a licensed plumber approved to test back-flow preventers and shall be paid for by the customer.
- (4) In the event of any known or suspected accidental pollution or contamination of the customer's or the Board's potable water, the customer shall promptly take steps to confine any further spread of pollution or contamination and shall immediately notify the Board of the situation.

e. Policy:

- (1) All premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional

source to the Board shall have an approved reduced pressure principle backflow prevention device installed in order to protect the Board's water supply against backflow.

- (2) For all premises where there is water or a substance that could be objectionable but not hazardous to health, if introduced into the Board's water system, The Board's water system shall be protected by an approved double check valve assembly.
- (3) For all premises where there is any material dangerous to health, which is handled in such a fashion as to create an actual or potential hazard to the Board's water system, the Board's water system shall be protected by an approved reduced pressure principle backflow prevention device. Examples of premises where these conditions have been found to exist include: sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.
- (4) For all premises where there are "uncontrolled" cross connections, either actual or potential, the Board's water system shall be protected by an approved reduced pressure principle backflow prevention device.
- (5) For all premises where security requirements or other prohibitions or restrictions make it impossible or impractical to perform a complete in-plant cross-connection survey, the Board's water system shall be protected by an approved reduced pressure principle backflow prevention device.
- (6) For all premises more than two stories high (excluding basements), the Board's water public water system shall be protected by an approved double check valve assembly.

- (7) No two (2) or more customers service pipes used for domestic service, fire service, or for any other purposes shall be physically connected together in any manner whatsoever, unless specifically approved by the Board, and then only with approved backflow prevention devices on each service pipe.
- (8) The Board shall deny or discontinue the water service to a customer if a required backflow prevention device is not installed or properly maintained, when required by the Board. Water service shall not be restored to such premises until the deficiencies have been corrected or eliminated to the satisfaction of the Board.
- (9) A Backflow Prevention Device, when required by the Board, shall be installed on the customer's service piping and situated on the customer's premises as close to the service connection and property line as practicable. Backflow Prevention Devices that are required on domestic lines or for irrigation systems can be located on the customer's service piping at any desired location between the water meter and the first water take-off. Detailed plans and specifications for a Backflow Prevention Device shall be submitted to the Board for approval prior to installation. If any changes are required, the revised plans must be resubmitted to the Board for final approval prior to installation.
- (10) The following types of facilities shall normally require the designated backflow prevention devices. This list is presented as a guideline and should not be construed as being final or complete. Each case will be judged on its own merit.

FACILITIES REQUIRING BACKFLOW PREVENTION DEVICES

D.C. - Double Check Valve Assembly

R.P. - Reduced Pressure Principle Backflow Prevention Device

<u>Type of Facility</u>	<u>Type of Protection</u>
Facilities with Fire Sprinkler Systems	D.C.
Ice Cream & Dairy Products	D.C.
Car Wash	R.P.
Chemical Plant	R.P.
Film Lab or Development	R.P.
Food or Beverage Processing Plant	D.C.
Hospitals, Clinics, and Medical Buildings	R.P.
Laboratories	R.P.
Laundries or Dry Cleaners	R.P.
Machine Tool Plants (health hazard)	R.P.
Machine Tool Plants (no health hazard)	D.C.
Metal Plating Plants	R.P.
Morgues, Mortuaries or Autopsy Facilities	R.P.
Multistoried Buildings	D.C.
Packing Houses	R.P.
Paper Product Plants	R.P.
Pesticides & Herbicides Exterminators	R.P.
Petroleum Processing Plants	R.P.
Petroleum Storage Plant or Yard (health hazard)	R.P.
Petroleum Storage Plant or Yard (no health hazard)	D.C.
Pharmaceutical or cosmetic plants	R.P.
Piers, docks or water front facilities	R.P.
Power plants	R.P.
Radioactive material plants	R.P.
Sand and gravel plants	D.C.
Schools with Laboratories	D.C.
Irrigation Systems	D.C.
Irrigation Systems (with chemical feed)	R.P.
Swimming Pools	R.P.
Sewage Treatment Plants	R.P.
Sewage Pumping Stations (health hazard)	R.P.
Sewage Pumping Stations (no health hazard)	D.C.
Sewage Pumping Stations (outside hose bibs only)	R.P.
Premises having water re-circulating systems and pumps (health hazard)	R.P.
Premises having water re-circulating systems and pumps (no health hazard)	R.P. or D.C.
Premises having boiler, cooking systems, or hot water heating systems where chemical water conditioners are used	R.P.
Premises having storage tanks, reservoirs, ponds, etc.	R.P.
Veterinary Establishments	R.P.

f. Inspection:

- (1) The Board may conduct inspections of customer's premises where suspected cross-connections or potential cross-connections may exist. Customers may be notified in advance of the inspections and the reason for the inspections. Should any cross-connections or potential cross-connections be detected, the customers shall be notified in writing of the appropriate type of backflow prevention device to be installed. Refusal by a customer to allow an inspection shall be considered prima facie evidence of the existence of cross-connections, thereby requiring the installation of an approved reduced pressure principle backflow prevention device or the disconnection of service.
- (2) For existing facilities, customers will be asked to complete a questionnaire on their water usage in order to make a preliminary determination of the potential health hazard to the Board's water distribution system. When such information or other knowledge indicates a potential health hazard, a survey of the customer's water system shall be conducted. Such surveys need not be a detailed inspection of the location or disposition of water lines but can be confined to establishing the water use on premises; the existence of any cross-connections; the availability of auxiliary water supplies; the use or availability of pollutants, contaminants, or other liquids, solid or gaseous substances that may be used industrially for stabilization of water supplies and other procedures for determining the degree of health hazard.
- (3) All new services shall be classified at the time of application to indicate the degree of hazard anticipated and hence, the type of device required. This information shall be given to the applicant in writing. Any later change in water

usage may require a change in the type of device. If no realistic evaluation of the proposed water uses can be determined, the customer, architect, engineer, or other appropriate individual should be advised in writing that eventually circumstances may require the installation of additional backflow protection of the water supply serving the premises.

- (4) All water customers of the Board shall be required to notify the Board, in writing, of any changes in their water usage. These changes will be evaluated to determine if there is an increase in the potential health hazard and if such increase requires the installation of a device. If a device is already in place, it will be determined if this device is adequate or if a different type of device is required.

g. Installation:

- (1) Double Check Detector Assemblies – This type of Backflow Prevention Device shall not be buried in earth, but may be installed below ground level in a vault in accordance with the Board’s General Water Specifications. The vault may be poured-in-place concrete or may be purchased as a pre-fabricated unit. As the drawings show, the top edge of the vault must be three inches (3”) above the grade level to prevent surface water from entering the vault. A drain line must be installed in the bottom of the vault to drain off any water that may collect in the vault. A secure, hinged lid shall cover the opening in the top of the vault to protect the equipment from vandalism and weather, and to prevent entry into the vault by a person, an animal, or a vehicle. Sufficient clearance between the backflow preventer and the vault shall be provided on all sides to permit easy access for equipment testing and maintenance. In order to protect the integrity of

the water main, fittings are not allowed between the vault and the Board's water main unless deemed necessary by the Board's Engineer.

- (2) Reduced Pressure Principle – This type of Backflow Prevention Device shall not be buried in earth, and must be installed above ground level in accordance with the Board's General Water Specifications, except as otherwise specifically authorized by the Board. The equipment must be installed in an above-ground vault, which may be poured-in-place concrete, or may be purchased as a pre-fabricated unit. A secure, hinged lid shall cover the opening in the top of the vault to protect the equipment from vandalism and weather. The vault must be constructed to provide drain outlet(s) to the outside of the vault at grade level. The area of the drain outlet in the vault shall be a minimum of four (4) times the area of the relief or vent opening on the backflow preventer, or at least four (4) drain outlets shall be provided, each having an area equal to the area of the relief or vent outlet. The drain outlets shall be a minimum of twelve inches (12") below the relief or vent opening on the backflow preventer to prevent the relief or vent opening from being submerged. Sufficient clearance between the backflow preventer and the vault shall be provided on all sides to permit easy access for equipment testing and maintenance.
- (3) Installation - Typical installation drawings for 1", 2" and larger than 2" Backflow Prevention Devices are presented in the Board's General Water Specifications. Backflow Prevention Devices must be installed as recommended by the manufacturer and should be protected from freezing. In the event the piping is wrapped or insulated to prevent freezing, care must be exercised to prevent the

relief or vent opening from being blocked with insulation material or obstructed in any manner. No intervening connections or bypasses shall be installed between the service connection and the outlet side of the Backflow Prevention Device except for the bypass meter on detector-type Backflow Prevention Devices.

h. Records:

The Board will endeavor to maintain appropriate records of all potential and confirmed cross-connections. Installations and tests of backflow prevention devices should be recorded and filed for future reference.

i. Testing:

All backflow preventers which are designed for field testing shall be equipped with gate valves on both the inlet and the outlet side of the backflow preventer, and the Backflow Prevention Devices shall be tested upon installation and a copy of the test report provided to the Board prior to water being supplied to the customer. In addition, Double Check Valve Backflow Prevention Devices shall be tested for proper operation every three (3) years and Reduced Pressure Principal Backflow Prevention Devices shall be tested for proper operation every two (2) years. The Board will notify customers when the test on their Backflow Prevention Device is due for completion. The tests shall be completed by a contractor who has been approved by the Board to perform the test at the customer's expense. A copy of the test report form will be attached to the notice. This is to be completed and returned to the Board within thirty (30) days of notification. Failure of a customer to furnish test results to the Board within the thirty (30) days allowed for completion shall subject the customer to discontinuation of service.

SECTION 17. FIRE HYDRANTS

Fire hydrants will be furnished and installed by the Board or agents of the Board on the Board's mains under the following conditions:

- a. Within public street or road rights-of-way inside a municipality at reasonable locations, upon receipt of a resolution adopted by the governing body in formal session and approved by the City Manager, the Mayor, Fire Chief, or Fire Marshall specifying the location of the fire hydrant and agreeing to pay an installation fee. The fee charge for installation of a fire hydrant will be the actual cost of installation by an approved contractor.
- b. Within public street or roadway rights-of-way outside all municipal limits, at reasonable locations, if the existing main is six inches (6") or larger in diameter with an adequate supply of water. In the event the main is smaller than six inches (6") in diameter or has inadequate supply of water, the Customer shall pay all costs incurred in replacing, upgrading, or extending the necessary main(s) including the cost of installing pumping stations, pressure reducing stations, storage tanks, etc., as necessary, and as determined by and at the sole discretion of the Board, which costs shall not be refundable.
- c. In private streets, roadways, or rights-of-way at reasonable locations, where the water main is six inches (6") or larger in diameter with an adequate supply of water, and the property owner grants permission and executes a right-of-way agreement acceptable to the Board.
- d. Scheduling construction and priority of installation of all fire hydrants shall be at the sole discretion of the Board.
- e. Ownership of public fire hydrants installed by the Board shall remain vested in the Board. Hydrants will be maintained in good repair by and at the expense of the Board except that

the expense of repairing damages resulting from unauthorized use, misuse, or negligence shall be borne by the party causing the damage.

- f. Fire hydrants located on private fire lines or mains that only serve fire hydrants shall be maintained by the owner.

SECTION 18. EXTENSION OF MAINS

The Board will allow main extensions from existing mains where adequate pressure and quantity are available as determined by the Board. The plans and specifications for the extension of said mains must be approved by the Board. The contractor performing the installation and extension of said mains must be approved by the Board prior to commencement of the work.

The total cost for said extension will be borne by the owner, developer, or Customer, governmental or otherwise. The main extensions, if they meet the above requirements and those in Section 20, shall be allowed as follows:

- a. Along existing dedicated public streets, roadways, or highways where finished grades have been established.
- b. Along streets or roadways proposed for dedication to the use of the general public where grades have been established and constructed but no Customer service is to be attached thereto until after the dedication of the proposed streets or roadways have been approved and accepted by the municipality or political subdivision having jurisdiction.
- c. At the discretion of the Board, along private streets, roadways, or rights-of-way where grades have been established and constructed subject to and conditioned upon the prior execution of a specific right-of-way document giving the Board specific rights of access for construction, operation, maintenance, etc. The minimum right-of-way is fifteen feet (15') for water and gas. If both utilities are going to be in the same location, then twenty

feet (20') is the minimum right-of-way required. However, no main shall be extended along private streets, roadways, or rights-of-way to serve property which directly abuts a public roadway used by the general public, or to serve a single residence or premises.

- d. Extension of the main shall be terminated at the far property line of the property on which it is intended to serve.

SECTION 19. POTABLE WATER AND NATURAL GAS AVAILABILITY

- a. Potable water conditional availability will not be issued, unless, in the Board's sole determination, there currently exists a minimum of twenty-five (25) psi residual pressure at the structure's highest finished floor elevation with sufficient flow to meet the required fire flow. The required fire flow will be determined by the Fire Department that will be providing fire protection. If the property is outside a Fire Department's jurisdiction, then water conditional availability will be based off a minimum of one thousand (1,000) gallons per minute.
- b. Natural gas conditional availability will be given to undeveloped property if there is an adequate pressure and volume. If approved by the Board, the Board will contract out and pay for all material, labor and installation costs in order to serve the property with gas contingent on an executed Gas Line Extension Agreement.
- c. The developer or agent for developer shall submit the following information and documentation in applying for a request for potable water and/or natural gas conditional availability:
 - (1) The property address and/or approximate location.
 - (2) Residential Properties shall submit:
 - a. Approximate number of houses.

- b. Approximate square footage of houses.
- c. Approximate separation of houses (exterior wall to exterior wall).
- d. Will the houses have a fire sprinkler system installed?
- e. Fire department which is providing fire coverage.

(3) Commercial/Industrial Properties shall submit:

- a. Maximum water flow for potable use, including irrigation, shall be submitted in writing to the Board by a licensed plumber, engineer or architect who designed the plumbing. The maximum GPM for irrigation shall be based off the largest zone/zones that will be operated at one time.
- b. Type of occupancy for the structure.
- c. Building material for the structure.
- d. Any preliminary fire flow requirements.
- e. Approximate square footage of structure.
- f. Fire Department which is providing fire coverage.
- g. Will the structure have a fire sprinkler system installed?
- h. For gas service, the maximum BTU load must be provided.

(4) Topography map with approximate property lines, or as a certified survey plat with topography shown.

(5) Preliminary plans for the development, if available.

- b. A final water availability will be given to each lot as shown on the approved subdivision

plan if the main is installed and tested in accordance with the Board's Plans and Specifications.

- c. Potable water and natural gas availability is only valid for the property owner that owns the property on the date of the letter and is valid for a period not to exceed six months. It is not transferrable to any other developer or prospective purchaser.

SECTION 20. WATER AND GAS INSTALLATION REQUIREMENTS FOR DEVELOPERS

Developers must comply with the following conditions, requirements, and procedures in order to have waterlines/mains and gas lines/mains installed or extended.

- a. Developer must furnish complete subdivision/commercial/industrial layout, by means of electronic media (e-mail, disc, etc.) to the Board. Complete layout, as furnished by the Developer will include:
 - (1) Lot layout and setbacks.
 - (2) Street layout with curb and gutter or valley gutter.
 - (3) Storm and/or sanitary sewer.
 - (4) Utility and drainage easements.
 - (5) Contours (required for water).
 - (6) BTU load (required for natural gas) and commercial/industrial layout.
- b. All pipe sizing and locations will be determined by the Board.
- c. Fire hydrant locations shall be determined by the designated fire department personnel that has jurisdiction where the development is located.
- d. Water mains, gas mains, valves, services, fittings, fire hydrants, etc. shall be located on the Developer-furnished subdivision layout by the Board.
- e. Copies of the completed, approved utility layouts will be furnished to the Developer.

f. Water

The Developer is responsible for all costs (including labor, material and permits) for the installation of all water mains, valves, services, fittings, fire hydrants, and appurtenances, as specified and approved by the Board. The Developer shall be required to extend the water main, at Developer's cost, to the far side (end) of the property, lot, or lots to be developed.

- (1) Once Developer has received the Board's approval of the utility layout, it is the Developer's responsibility to hire a contractor to install the water main.
Developer will use a contractor that is approved by the Board. The Board will furnish a list of approved contractors at the request of the Developer.
- (2) The Developer's contractor must be on the Board's approved contractor list.
- (3) The Developer is responsible for purchasing all material for water main installation. All material will meet the requirements of the plans and specifications of the Board. The Board will provide a copy of water specifications for the Developer's use.
- (4) Developer or approved contractor will inform the Board twenty-four hours prior to material being delivered to the proposed development. The Board shall have the right, but not be required, to make arrangements to inspect pipeline materials and appurtenances prior to contractor beginning construction. Any and all material that does not meet the requirements of the Board's plans and specifications will be removed, immediately, from the job site.
- (5) The Board shall have the right to inspect pipeline material used, and installation of all water mains, valves, services, fittings, fire hydrants, and all appurtenances, and the Board's inspector will be provided with access to any and all pipeline construction.

(6) After completion of installation, pressure and leak testing, general acceptance by the Board's inspector, and after Health Department approval of water samples, the water main will be placed into operation. It is the Developer's responsibility, in the presence of the Board's representative, to verify that all valves, including all fire hydrant valves, are fully opened. At this time, a one-year Developer warranty period will begin. Within thirty (30) days of the beginning of the warranty period Developer shall submit to Board the total cost of the water line installation and certification that all materials and costs have been paid and that there are no liens on the water main extension. During the one-year Developer warranty period, Developer will be liable and responsible for any and all leaks, leak repairs, mains and services exposed (washing out, etc.), valve boxes covered and/or paved over. At the end of the one-year Developer warranty period, the Board will take over ownership and maintenance of water mains, valves, fittings, fire hydrants, appurtenances, and services up to and including the meter.

g. Natural Gas.

- (1) All pipe sizing and locations are to be determined by the Board.
- (2) Gas mains, valves, services, tees, etc., are to be located on Developer-furnished subdivision layout by the Board.
- (3) Copies of the completed, approved utility layouts will be furnished to the Developer upon their request.
- (4) Developer must deliver an executed gas line extension agreement.

h. Should a property owner or Developer desire to change the existing grade and thus change the cover over existing water and/or natural gas mains, he shall be solely responsible for the costs of relocating the water and/or natural gas mains should the

resulting cover over the mains be more than 5 feet or less than 3 feet.

SECTION 21. COMMERCIAL WATER MAIN FEE

- a. A commercial water service main fee shall be charged to any commercial customer that connects to the water system. The fee shall not apply to any customer that replaces a previous customer at the same location without the addition or expansion of service.
- b. The commercial main fee does not cover apartments, condominiums, trailer parks, townhomes, or other multi-family housing. These will be charged per unit under the Residential Main Fee.
- c. The following definitions shall apply to this section:
 - (1) Additional or Expanded Service Owner - That individual or entity that owns a lot or an existing water main which is adding an additional service, unit/suite or expanding a previously existing service.
 - (2) Builder - An individual or entity licensed in the State of Alabama to construct commercial buildings that has rented, leased or purchased commercial property, or has entered into a contract with an owner of property to construct a commercial building at the time application is made to set a meter for commercial service for said commercial property.
 - (3) Commercial Customer – An individual or entity, including but not limited to a Developer, Builder, New Service Owner, Resubdivided Lot Owner, an Additional or Expanded Service Owner which is making a connection to the water system or expanding previous service from the water system for commercial enterprise.
 - (4) Developer – The individual or entity that submits the commercial map or plat indicating the layout and/or location of streets, lots, setbacks, curbs, gutters, utilities easements, drainage easements, and topographical contours to the Board for

approval in order to install water mains and lines in said commercial development.

- (5) Main Fee - The charge imposed for the addition of a new commercial customer to the water system.
- (6) New Service Owner - The individual or owner that requests service from an existing main at a new commercial location that does not replace a previous commercial customer.
- (7) Resubdivided Commercial Lot Owner - The individual or entity that owns commercial property that has been resubdivided after the Board has approved the original plat for the installation of water mains and lines.
- (8) Commercial Utility Layout - The requirements set forth in Section 20 concerning Water and Gas Installation Requirements for Developers.

d. Payment of Main Fee. The main fee is the charge for connection of a new commercial customer to the water system. The main fee shall be collected for each lot, unit or suite which is added to the system. The main fee shall be one hundred twenty-three dollars thirty three cents (\$123.33) per gallon per minute (GPM) of maximum water flow, including irrigation, required to operate the commercial entity. The maximum water flow, including irrigation, shall be submitted in writing to the Board by a licensed plumber, engineer or architect who designed the plumbing system for the commercial entity. The maximum GPM for irrigation shall be based off the largest zone/zones that will be operated at one time. The main fee shall be paid as follows:

- (1) New Service Owner or Developer. The new service owner or developer will pay the amount of one hundred twenty-three dollars thirty three cents (\$123.33) per gallon per minute (GPM) of maximum water flow, including irrigation, required

to operate the commercial entity per unit/suite when an application is made for the installation of a meter.

- (2) Additional or Expanded Service Owner. The amount of one hundred twenty-three dollars thirty-three cents (\$123.33) per gallon per minute (GPM) of maximum water flow, including irrigation, required to operate the commercial entity per unit/suite shall be paid for (a) each additional service, and (b) the expansion of previously existing service for each unit/suite. If said expansion of previously existing service results in an increase in the maximum water flow to the unit/suite, the owner shall pay the amount of one hundred twenty-three dollars thirty three cents (\$123.33) per gallon per minute (GPM) of maximum water flow, including irrigation, on the increase in maximum water flow between the previously existing service and the expanded service. No refunds shall be allowed if the amount of maximum water flow decreases from the previously existing service. Said fee shall be paid when application is made for additional or expanded service.
 - (3) Resubdivided Commercial Lot Owner. The resubdivided commercial lot owner shall pay the amount of one hundred twenty-three dollars thirty three cents (\$123.33) per gallon per minute (GPM) of maximum water flow, including irrigation, required to operate the commercial entity at the time application is made for a new meter.
 - (4) Exceptions may be made to the costs of the main fee as determined by the Board.
- e. Extension Costs. In addition to the main fee, the commercial customer will continue to be responsible for all costs, labor, material, and related overhead for the installation of all water system extensions within or to any new development, phase or sector, as set forth in the requirements for the Commercial Utility Layout.

- f. Determination of New Areas to Receive Water Service. The Board, in its sole discretion, shall determine which new areas will receive water service. Said determination shall be based on the Board's judgment of the availability of water, taking into consideration, among other factors, the ability of the system to provide adequate water and fire protection service to existing customers, the cost and expense to maintain, upgrade and/or expand the water system.
- g. Costs of Upgrade and Expansion. In the event the Board approves a properly submitted Commercial Utility Layout, the approval may be subject to the upgrade and/or modification of the existing water system. In the event the Board determines, in its sole judgment, that the costs associated with the upgrade and modification of the water system for the new service or development shall be recouped by the Board within ten years, based upon the Board's estimate of annual revenue to be produced by the new service or development, then the Board will be responsible for the cost of upgrades and/or modifications. The customer shall pay for the upgrade and/or modification costs in excess of the ten-year estimated revenue of the development prior to the approval of said Commercial Utility Layout.
- h. Punch Charge. In addition to the Main Fee, the commercial customer will be responsible for any necessary Bore/Punch Fee associated with installation of the water meter.
- i. Connection (Tap) Fee. The builder is responsible for all labor and materials to complete the tap.
- j. Meters. The builder is responsible for the cost of the meter.

SECTION 22. RESUBDIVIDED OR REPURPOSED LOTS

In addition to other charges set forth herein, the owner or developer of a resubdivided or repurposed lot shall be responsible for the removal and/or abandonment of any existing, unused water and/or gas tap or service line at the main, according to the Board's specifications and

procedures.

SECTION 23. RAILROAD RIGHT-OF-WAY PERMITS

In addition to other charges set forth herein, the customer, owner or developer of a lot or property shall be responsible for reimbursing the Board for the cost of obtaining a required construction or access permit for work associated with crossing or utilizing the railroad right-of-way, along with various other related fees, services or expenditures as required by the railroad.

- a. Examples of the railroad crossing related fees, services or expenditures include but shall not be limited to:
 - (1) License fee
 - (2) Application fee
 - (2) Flagging services by railroad personnel
 - (3) First year fee
 - (4) Risk fee
 - (5) Construction Monitoring Fee
 - (6) Monitoring track movement during construction.
- b. Upon completion of the railroad right-of-way crossing work and after receiving all related invoices, the Board shall prepare and present a total cost summary to the customer, owner, or developer.
- c. Customer, owner or developer shall fully reimburse Board said costs within thirty (30) days of receipt of the total cost summary.
- d. If the Board does not receive full reimbursement within thirty (30) days, the Board reserves the right to discontinue water and/or natural gas service at the railroad crossing until the full amount has been paid.
- e. Customer, owner or developer shall be responsible for fees, charges, services and

expenditures associated with crossing or utilizing the railroad right-of-way for a period of one year from the completion and acceptance of the railroad right-of-way crossing work. After the expiration of one year, the Board will be responsible for payment of any annual crossing fee to the railroad.

SECTION 24. EFFECTIVE DATE

These Rules and Regulations shall become effective immediately upon adoption.

Adopted this _____ day of _____, 2024 by the Directors of the Utilities Board of the City of Trussville.