

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

ORDINANCE NO. 2023-17

CITY OF WALHALLA)

WATER AND SEWER USE ORDINANCE

An Ordinance to Regulate, Restrict and Limit, in the interest of the Public Health and Safety, the use and operation of the Water and Sewer Systems maintained and owned by, or which may become the property of, the City of Walhalla and providing penalties for violation thereof. This ordinance rescinds all previous ordinances and ordinances or parts thereof in conflict with are hereby repealed.

BE IT ORDAINED by the Mayor and Council of the City of Walhalla as follows:

ARTICLE I

DEFINITIONS

Section 101. Apartment - shall mean any building containing two (2) or more Single Family Dwelling Units and having one (1) water connection for all Dwelling Units.

Section 102. Building - shall mean any improved property containing a structure which meets any one of the classifications in Article 1, Sections 101 through 108.

Section 103 B.O.D. - Biochemical Oxygen Demand is a measure of the pollutant strength of wastes of any nature. B.O.D. expressed in parts per million by weight shall mean the calculated pounds of oxygen required to satisfy the 5 day oxygen demand of a million pounds of domestic sewage or industrial wastes or a combination of both when tested in accordance with the procedures given in the latest edition of "Standard Methods for the Examination of Water and Sewage" published by the American Public Health Association.

Section 103. Business - shall mean any building used by the occupant for amusement, entertainment, service, professional, retail trade or any other similar purposes except as defined under "Commercial" and "Institution."

Section 104. Camper/Travel Trailer - shall mean a vehicle without motor power designed to be towed by a motor vehicle, and of such size and weight not to require a special highway moving permit, designed to provide temporary living quarters for recreational, camping and travel use, and designed not to require permanent on-site utilities, including, but not limited to tent campers, park models, park trailers, motor homes, and fifth wheels. This term may include any vehicle whose body width is less than eight feet, and whose length is not more than thirty-five feet in the travel mode, and so designed that part of its weight rests on the towing vehicle.

Section 105. City - shall mean the City of Walhalla, its elected officials and appointed authorized representatives.

Section 108 Color – shall mean the True Color due to substances in solution which cause any variation in the hue of the receiving stream and is expressed in wave lengths of light

Section 109 Combined Sewage - shall mean a sewer receiving both surface water runoff and sewage

Section 106. Commercial - shall mean any hotel, motel, lodge, tourist home, efficiency apartments, or similar building operated primarily as a commercial enterprise for the purpose of rental and lodging on a daily or weekly basis. For determination of rates, each room or series of rooms made available to the general public as a separate entity for overnight accommodation shall be classified as a Rental Unit.

Section 111 Condominium – shall mean one or more buildings containing two or more single family units owned individually and not provided with access by public streets or roads and having one sewer connection for each unit.

Section 107. Customer - shall mean any responsible person who makes application to the City for water service.

Section 108. Customer in good standing - shall mean a customer who has an active account(s) and has not violated the water use ordinance at any time, and whose account is not currently delinquent.

Section 114 “Development” – shall mean any residential subdivision, commercial, industrial, or institutional complex.

Section 109. Equivalent Unit - shall mean equal to the number of Single-Family dwelling unit for the purpose of establishing tap fee and billing cost; the following equivalents shall be used:

A) Single Family Dwelling Unit	1.0
B) Condominium Dwelling Unit	1.0
C) Townhouse Dwelling Unit	1.0
D) Apartment	1.0
E) Hotel or Motel per room	0.60
F) Mobile Home	1.0
G) Camper/travel Trailer	0.50
H) Restaurant, per seat	0.25
I) Business or Institution per 6,000 Gallons per month usage	1.0

Section 110. Farm Users - shall mean class of user that uses the water exclusively for lawn, garden, and crop use and there is no connection inside or outside of a building which is directly or indirectly tied to a sewer.

Section 111. Institution - shall mean any building used as a hospital, church, school or similar public facility.

Section 112. Master Meter – A water meter serving more than one unit.

Section 113. Multiple Family Dwelling Unit - shall mean any building containing two (2) or more Single-Family Dwelling Units and having individual water connections to each Dwelling Unit.

Section 114. Non-Payment Fee – shall mean the fee charged to all customers on the disconnect list. This fee can only be waived one time for the lifetime of the account, and applies, regardless of connection status.

Section 119 Oconee Joint Regional Sewer Authority (OJRSA) – Shall mean the sewer treatment entity in Oconee County.

Section 115. Person - shall mean any individual, firm, company association, corporation, institution or group.

Section 116. Photo ID- A governmental issued identification card including a South Carolina Driver's license or photo ID or a current real photo ID from another state or a valid passport or a United States military identification card.

Section 117. Rental Property – shall mean any and all real property that is rented or leased by one group or person from any other group or person for the purpose of living space, commercial, or industrial use. ALL rental properties inside the City Limits MUST be inspected by the Fire Department prior to obtaining services.

Section 118. Residence – Any dwelling unit, home, mobile home, apartment, camper, etc. used as living space, whether permanent or temporary.

Section 119. Services - shall mean the delivery of potable water through an authorized and approved Water Connection, account record keeping, billing, and all work associated therewith.

Section 120. Single Family Dwelling Unit - shall mean any building, house or apartment unit, occupied for living purposes by a single family and owned or leased by the occupant on a continuing basis for thirty (30) days or more per year. Only one unit per meter allowed.

Section 121. Townhouse - shall mean one or more buildings containing two (2) or more Single-Family Units owned individually and provided with, or adjacent to, public streets or roads and having one (1) water connection for each unit.

Section 125 Sewer Connection shall mean all materials including valves, pipe, fittings, cleanouts to convey sewer waste from the customer.

Section 126 Sewer System - shall mean all property, equipment, pumps, piping, storage tanks, connections, records, structures, and any other associated appurtenances necessary to provide sewer service owned and operated by the City of Walhalla.

Section 122. Water Connection - shall mean all materials including valves, pipe, fittings, meter, and meter box necessary to convey water from the most convenient property line of the customer.

Section 123. Waterworks System - shall mean all property, well equipment, pumps, piping, water storage tanks, water connections, records, structures, and any other associated appurtenances necessary to provide water service owned and operated by the City of Walhalla.

Article II

GENERAL

Section 201. Each utility customer shall make application to the City for service by completing the standard contract of the City. In addition, proof of ownership (deed), or a copy of a rental agreement, and a photo ID will be required to establish service. Contracts may be completed in person, by email, or through the City's website. Contracts for new service taken after 3:00 PM will be processed the next business day. Requests for same day service made after 3:00 PM will be charged as shown in Appendix A of the current budget document. Rental units inside City limits must pass an inspection prior to establishing service. In cases where the account holder is deceased, their spouse or legal heir of the property may transfer the account into their name at no cost. Proper documentation including death certificate, and legal will or probate documentation will be required. Connection fees and service charges are as shown in Appendix A of the current approved budget document.

Section 202. To perform a home inspection that requires utility service, service will be furnished for a one-time inspection fee, as shown in Appendix A of the current budget document. The customer will be required to fill out a contract at City Hall prior to a work order being processed. The meter will be unlocked and turned on by 3:30 PM, and will remain on until 3:30 PM the following day. This service may only be requested Monday through Thursday. The individual requesting water service will be responsible for coordinating with their inspector.

Section 203. It shall be unlawful and a violation of this Ordinance for any person, or persons to damage, deface, alter, change, or tamper with any part of the Waterworks or Sewage System in any way. This includes damage to the water meter or curb stop owned by the City. Upon conviction, said person or persons shall be guilty of a misdemeanor and fined in accordance with the penalty for a misdemeanor. The minimum tampering/damage charge shall be \$250. Charges for meters damaged by the customer's negligence shall be the current market rate for the meter and associated installation costs.

Section 204. The City reserves the right to discontinue Service immediately, and the utility connection removed or severed, if it is found that any provision of this Ordinance has been violated.

Section 205. It shall be unlawful and a violation to this Ordinance for any person to make any connection to the Waterworks or Sewer Systems, or to reconnect service when it has been discontinued for violation of this Ordinance, or any other reason except where specifically approved in writing by the City with said approval being contingent upon satisfaction of all Articles of this Ordinance; and upon conviction, said person or persons shall be found guilty of a misdemeanor and fined in accordance with the penalty for a misdemeanor.

Section 206. When Service has been discontinued for violation of this Ordinance, including non-payment of bill, all charges for services to date become immediately due and payable. Service will not be reinstated until payment in full, of all charges, including: bills, cost of repairs, service charges, non-payment fees, and penalties.

Section 207. All metered accounts will be read monthly and billed monthly to the customer from the date service is established, regardless of the number of days of service. Accounts not paid by the due date reflected on the bill will incur a 10% late penalty. A bill with a balance of \$75.00 or greater after 30 days will be put the customer in non-payment status and will result in being placed on the cut off list. A \$35.00 non-payment fee will be added to the account when the cut-off list is generated. The non-payment fee must be paid before the service will be restored. For customers in good standing, the first non-payment fee will be waived.

Section 208. For each new utility connection and in addition to conformance with Article II, Section 201, the person applying for water service shall pay a tap fee for new meter installation according to the schedule of Appendix A of the current budget document. Payment is to be made before the water connection is provided by the City.

Section 209. No utility service shall be furnished to any residence or property from an existing service at another residence. Unauthorized connection will result in termination of utility service at the residence with the active account.

Section 210. No claims or demand that the customer may have against the City shall be considered as an offset against the payments for service as provided under this Ordinance.

Section 211. Utility service, as provided by this Ordinance, is rendered to the customer for the use of the customer in the operation of his residence, rentals, services, business, commercial, or institution. Said service shall not be subleased, assigned, transferred, sold, or disposed of to others, in whole or any part thereof.

Section 212. Each utility connection shall require the connection fee as required by Section 201. All accounts will be billed monthly, regardless of usage or days of service. The applicant shall be responsible to all Articles of this Ordinance regardless of ownership of the property being served by that water connection.

Section 213. No utility service shall be furnished or rendered free of charge to any person.

Section 214. To discontinue service with the City, the customer must make a request, in writing, to have the service discontinued. The City has forms available at City Hall, which can be completed in person, by mail, or online. Service will not be discontinued until the completed form is received.

Section 215. Customers with a critical medical need for utility service shall provide a letter stating the medical necessity for water service on their physician's letterhead. If the customer's account is unpaid and subject to disconnection, a written disconnect notice will be given, and service discontinued 48 hours later if balance remains unpaid. All penalties, late fees, and non-payment fees will apply.

ARTICLE III

SERVICE

Section 301. The City shall provide personnel to operate the system in number and of skill as required by the rules and regulations of the South Carolina State Department of Health and Environmental Control. The City agrees to use reasonable diligence in providing a regular and uninterrupted supply of water service. In case the supply of water shall be interrupted, or fail by accident, or any cause whatsoever, except negligence on the part of the City, the City shall not be liable for any damages sustained by the customer by reason thereof.

(A) WATER METER OWNERSHIP

The City of Walhalla shall exclusively own all water meters, and appurtenances, as a part of its water system. The user of utility service shall pay the City of Walhalla the appropriate tap fee to provide such service. Customer is liable for ANY damages or tampering to the meter, box, valve, connections, etc. The City is NOT responsible for any portion of a service line beyond the discharge meter coupling.

(B) WATER METER REMOVAL FOR NONPAYMENT, TAMPERING, OR DAMAGE: If an individual, corporation, partnership, or other entity does not pay a bill for utility service and is placed on the cut-off list, service shall be disconnected, and the water meter shall be locked. The lock shall be removed only when the bill is paid in full, including delinquent charges. If the lock is removed, cut, bypassed and/or tampered with, or the meter is tampered with or damaged, the following will occur:
The water meter shall be removed, and service discontinued. The minimum charge for removal and reinstallation shall be \$250.00, or the cost of actual repairs, whichever is greatest, plus payment of any delinquent bill.

Section 302. All services will be metered. Where water meters fail to register, bills shall be arrived at by comparison with the same month of the previous year. When at the request of the customer, water meters have been tested by the City or any other party approved by the City and found to be more than 3% fast, previous bills reflecting such inaccuracy will be adjusted accordingly, but in no case will the adjustment exceed three months prior billing. If a meter is tested at the customer's request more than once in any six-month period, the customer shall pay a service charge, as listed in Appendix A of the current budget document, for such service but in the event the meter is found to be more than 3% fast, the customer will have his bill adjusted as stated above and no service charge will be applied. For remote read meters, the reading on the meter register shall be the reading used for billing purposes in the event of a transmitter failure.

Section 303. The City shall have the right to enter the Customer's premises without notice for the purpose of making emergency repairs, disconnection or reconnection of service, necessary installations, or reading of meters. The City shall further have the right to enter the Customer's premises for inspection and any other reason for administering reasonable service provided that the customer is notified in advance.

Section 306. All applications for utility service are also subject to the Oconee Joint Regional Sewer Authority policies in effect at the time of application.

Section 307. All water connections installed for sprinkler systems, or similar business or commercial fire protection devices, must be equipped with at least a testable double check valve or a reduced pressure backflow preventer on the customer's side of the connection. The cost of the installation and annual testing shall be paid by the customer. The device must be certified once per year by a certified backflow tester at the customer's expense, and all tests must be submitted in the iBackflow system. Testing notices will be sent by iBackflow several weeks before the test is due. If a customer fails to have the device tested, the City will have the device tested by a contract tester, and bill the customer \$75 on their water bill.

Section 308. The City will allow each customer two free convenience cutoffs and cut-ons each year. Thereafter, the customer will be billed for this service according to Appendix A of the current budget document. Convenience cut-offs, as a protective device during periods of absence from the premises, do not relieve the customer of any obligation to pay the minimum charges as set forth in the rate schedule of Appendix A of the current budget document.

Section 309. It shall become the responsibility of each person requesting a water connection to notify the City and arrange for final inspection of the plumbing while visible and accessible to the inspecting agent of the City before permission to connect is granted.

Section 310. The City shall make inspections of existing building plumbing and if any condition is found which, in the opinion of the City, constitutes a health hazard or a potential health hazard to the water supply or operation of the Utility System. The City shall require immediate action to be taken by that customer or sever the water connection until remedial measures are instituted, and the hazard eliminated to the complete satisfaction of the City.

Section 311. Under no circumstance shall any part of the Waterworks System be connected in any way with any other water source, including well systems. Any hazardous connection between the Waterworks System and any source of contamination is expressly prohibited.

Section 312. During any and all improvements, expansions, extensions, repairs, or fire calls, the City shall exercise all reasonable precautions to protect the quality of the water supply including, but not limited to, flushing of mains and chlorination.

Section 313. Where no public sewer exists, or where connection is technically impractical, the owner of such property may apply for a permit to construct and operate a septic tank system as approved by the Health Department, and further provided that the septic tank system is properly maintained to eliminate any hazard to the public health.

Section 314. The City shall own, operate and maintain sewer service laterals to either the edge of the City's permanent sewer easement, typically 12' from center of main line, or the portion of the service line located within the public road right-of-way. The customer shall own, operate, maintain, and repair the lateral from the home to the City connection. For lateral lines that do not have a sewer cleanout at the connection point to the City lateral, at least 20' from the home, the customer shall be responsible for clean out installations

Section 315. In the interest of the public health and safety, the City shall be permitted to take such emergency action as may be deemed necessary in the operation of the Utility System. These rights, include but are not limited to, the right to close down any utility line or portion of the System for the purpose of making connections, alterations, or repairs. The City shall not be liable for any damages to any portion of the customer's service line, plumbing, etc.

Section 316. The City shall conduct periodic tests in a recognized and generally accepted manner to ensure a potable water supply to the customer. These tests are to be in accordance with the rules and regulations of the SCDHEC.

Section 317. During times of drought, the City reserves the right to discontinue water service for failure to abide by the water restrictions imposed. All irrigation equipment must be removed prior to re-installation of the meter.

Section 318. For new business or commercial water service, a walk thru will be required. The Fire Marshal, Zoning Administrator, and Utilities Director will provide guidance for the City's startup process. Where renovations will be taking place, and water service will be needed, all permits must be obtained (Zoning, OJRSA, if applicable, Building Permit) prior to application. After permits have been obtained, the Fire Marshal can be contacted for an inspection. After passing inspection, the Fire Marshal will clear the property for water service, and the occupant may then apply for water service. If the Fire Marshal, at any time during the renovation process, determines that the occupant is working outside of the permitted use or activities, or not following the permitted actions, the Fire Marshal may request that water service be discontinued.

ARTICLE IV

RECORDS AND BILLING

Section 401. All metered accounts shall be billed and payable monthly.

Section 402. While the City will make every reasonable effort to see that each customer receives their bill. No responsibility will be assumed for non-delivery when same has been mailed at the post office.

Section 403. All charges for utility services are due and payable at the collecting office in the City Hall building of Walhalla.

Section 404. All bills paid after 5:00 PM shall be credited on the following business day.

Section 405. In no event will refunds for overcharges be made for a period covering more than three (3) months immediately preceding.

Section 406. Each account for utility service shall be classified for billing purposes at the discretion of the City according to the definitions contained herein. The customer shall have the right to redress to the City for purpose of reclassification through presentation of sufficient evidence to the City Council.

Section 407. The volume of flow used in computing sewer user charges and surcharges shall be based upon metered water, or by flow meter installed at no expense to the City. Consumption records of meter reading will be maintained by the City Utilities Department. For sewer customers, the City will allow for a Summer Sewer Bill for June, July, August, and September billings based upon 9 months usage, and excluding the usage from the months of June July, August. The charge for the special sewer rate will be \$25.00. As an alternative, the City will install an irrigation only water tap. The tap may only be used for outdoor irrigation, filling of pools, car washing, etc., and may not be connected to any structure. If the City declares mandatory use restrictions due to drought, the service will be discontinued, and the summer sewer rate will be cancelled.

Section 408. Billing will be based upon minimum rates for each rate classification, and utility service, as shown in Appendix A of the current budget document. Any service discontinued for convenience under Section 307 shall be subject to payment of the minimum monthly rate for the period of absence. Sprinkler service provided to commercial, business or industries which are not metered shall be charged a monthly rate of \$0.10 in City and \$0.20 out of City per one hundred (100) square feet.

Section 409. Bulk water may be purchased by completing the Bulk Water Use form at City Hall. Bulk water will be dispensed ONLY at the Walhalla Fire Department, at 207 East North Broad St., Walhalla. All bulk water tanks must have an air gap for backflow prevention. Bulk water customers will be billed monthly, rates are listed in Appendix A of the current budget document.

Section 410. Services discontinued for non-payment shall only be re-instated after all past due charges, penalties, non-payment fees, and tampering fees have been paid in full. If the balance remains unpaid for 2 months and exceeds the connection fee amount, or, is unpaid for 3 months, the account will be closed and the connection fee applied to the balance. Outstanding balances on old accounts may be transferred to a customer's active account for payment. Discontinued water service cut on after normal hours of operation shall only be done with proof of payment of bill in full. Only a paid receipt or a cancelled check for the amount due will be accepted as proof.

Section 411. Each customer will be entitled to one adjustment every four years due to water leaks, upon showing proof of repair of the plumbing system. The customer will pay an estimated bill based upon the last six months of billing. The customer must have a minimum of six month's usage history to be eligible for an adjustment, and apply for the adjustment in person. If a customer has a leak, and is not eligible for a leak adjustment, the customer may be eligible for a payment plan. To qualify, there must be proof of the leak repair, and the customer's bill must be at least double their 6-month average usage. If qualified, the customer must request the payment plan prior to the due date to avoid that month's penalties. The request must be made in person, by the account holder. The customer's high bill will be divided into 3 monthly payments that must be paid in addition to the normal monthly billing. If the payment is not made by the due date, penalties will apply to the entire balance. If payment is not made by the cut-off deadline, the account will be subject to disconnection. If the customer's bill is greater than \$1,000, the payment period will be extended to 6 months, and all other conditions above will apply. For inactive accounts with an outstanding balance, customers may apply for the payment plan and for new service at the same time. They must agree to the appropriate plan terms (3 or 6 months) and conditions and agree to pay the plan payment and monthly bill or be subject to penalties and disconnection. The first payment of the plan will be due when the first bill is due.

Section 412. The City shall keep separate from other business the records of the Utility System.

Section 413. All records of business transactions, billings, and receipt of funds shall be maintained by the City clerk and treasured in accordance with the Bond Ordinances governing the system.

Section 414. The City Council shall prepare an annual budget for the Utility System based upon the audit and establish such changes as may be necessary to fund said budget in accordance with the Water and Sewer Use Ordinance.

Section 415. The City of Walhalla has the right, pursuant to the South Carolina Setoff Collection Act, to collect any sum due and owed by the applicant through offset of the applicant's state income tax refund. If the City of Walhalla chooses to pursue debts owed by the applicant through the Setoff Debt Collection Act, the applicant agrees to pay all fees and costs incurred through the setoff process, including fees charged by the Department of Revenue, the Municipal Association of South Carolina, and/or the City of Walhalla. If the City of Walhalla chooses to pursue debts in a manner other than setoff, the applicant agrees to pay the costs associated with the selected manor as well.

ARTICLE V

WATER TAPS

Section 501. No water connection shall be made until the tap fee as set forth below has been paid, and all necessary encroachment permits have been obtained.

Section 502. All taps and related water connections shall be accomplished by the City using standard equipment and materials.

Section 503. Tap fees for new connections shall be as shown in Appendix A of the current approved budget document.

Section 504. All tap fees for taps larger than one (1) inch in size, or requiring additional work beyond the normal tap, shall be the base one (1) inch tap cost, plus all materials, and appurtenances required for a complete installation. Each tap application will be reviewed, and a cost estimate provided to the customer, based upon actual site conditions. For new water taps that require additional materials (Additional pipe, concrete or asphalt work, special conditions, etc.), above and beyond that included in the tap fee listed, a quote for the additional cost will be prepared for the customer. The City reserves the right to postpone the installation of a service tap until all required permits are obtained, and all materials for the job have been delivered.

Section 505. All taps requiring flow for fire protection shall be required to have a detector check valve assembly for backflow prevention and to monitor usage. The fire line charge is for the tap fee and inspection only. For fire line taps outside City limits, or as part of a new construction project, all work, including tap, must be performed by a licensed contractor, and coordinated with City of Walhalla personnel. For retrofit fire sprinkler projects, within City limits, the City will perform the fire line tap.

Section 506 Master Meters are allowed only by special permission of the City Council. Each billing/dwelling unit is required to have a separate meter. If any unit is removed from a master meter connection, the unit must have a separate meter installed before service can be restored. If the unit is re-connected to the master meter, the master meter is subject to disconnection for violation of this ordinance.

ARTICLE VI
PROHIBITED USE OF
PUBLIC SEWERS

Section 601 No person shall discharge or cause to be discharged into any sanitary sewers any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial or commercial process water.

Section 602 Storm water and surface drainage shall be admitted to only such sewers as are specifically designated as storm sewers or storm drains. Unpolluted process and cooling waters may, upon written application and approval by the Approving Authority, be discharged to storm sewers or storm drains.

Section 603 Except as hereinafter provided no person shall discharge or cause to be discharged any of the following described waters or waste into any public sanitary sewer.

- (A) Any clothing, rags, textile, remnants or wastes, cloth, scraps, etc., except fibers, scraps, etc., which will pass through a 1/4 inch mesh screen or its equivalent in screening ability.
- (B) Any liquid or vapor having a temperature higher than 160 degrees.
- (C) Any water or waste containing more than 100 parts per million by weight or fats, oils or grease.
- (D) Any liquids, solids, or gases which by reason of their nature or quality may cause fire or explosion, or be in any way injurious to persons, the sewerage system, the sewage treatment works or the operation of the sewage treatment works.
- (E) Any liquid waste in which the suspended solids exceed 250 parts per million by weight except as hereinafter provided for.
- (F) Any liquid wastes in which the suspended solids exceed 250 parts per million by weight except as hereinafter provided for.
- (G) Any water or wastes having a stabilized pH lower than 6.0 or higher than 8.5 or having other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the sewage works.

- (H) Any waters or waste containing a poisonous or toxic substance or any other materials in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving stream at the sewage treatment plant.
- (I) Any waters or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials in the sewerage system.
- (J) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (K) Any garbage that has not been properly shredded.
- (L) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, feathers, tar, plastics, wood, paunch manure, butcher's offal or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system.
- (M) Any materials which form excessive amounts of scum that may interfere with the operation of the sewage treatment works or cause undue additional labor in connection with its operation.
- (N) Any waters or wastes containing dyes or other color which cannot be removed t biological processes and which require special chemical treatment.
- (O) Any waters or waste containing lint in such quantities as to be detrimental to sewer lines, sewage pumps or sewage treatment works.

Section 604 The Approving Authority, without limitation by other sections of this ordinance, may authorize any person to discharge industrial waste of unusual strength or character into the sewers of the City under approved conditions or pretreatment. The Approving Authority may prohibit entry of particular industrial waste into the sanitary sewer whenever such action is necessary to prevent damage to the system or to determine the effects of such wastes on the sewage system.

ARTICLE VII

PERMISSIVE USE OF PUBLIC SEWERS

Section 701. The City shall reserve the right to inspect and grant permission for all connections to the sewerage system and require the payment of a tap fee before permission to connect can be granted to any person. The tap fee shall be specified in Appendix A of the current budget document.

Section 702. Where necessary in the opinion of the Approving Authority and whenever the total volume of sewage discharged by any person in any one day shall exceed the limits set forth above, such person may be required, at no expense to the City, to construct holding or storage tanks in order to equalize the discharge over a 24 hour period. Such tanks shall be so equipped as to thoroughly mix the sewage so that its quality shall be uniform when discharged to the public sewers. The control of the volume of discharge of the sewage to the sewer shall be by a waterworks type rate controller or other approved device, the operation and setting of which shall be directed by the Approving Authority. Notice shall be given the Approving Authority when normal operations of the Person will be interrupted for 24 hours or longer and wastes will not be available for discharge.

Section 703. Plans, specifications and other pertinent information relating to proposed preliminary treatment or handling facilities shall be submitted for the approval of the Approving Authority and no construction of such facilities shall be commenced until such approval is obtained in writing.

Section 704. Where preliminary treatment, screening, debris removal, or holding facilities are provided for any purpose, they shall be maintained continuously in satisfactory and effective operation at no cost to the City.

Section 705. Any person who is now discharging any sewage into the City's public sewer may be required to make written application to the Approving Authority giving complete information as to the nature and characteristic sewage as determined by an analysis of a composite sample of the waste made by an independent laboratory.

Section 706. Any person having been granted approval by the Approving Authority to discharge sewage into the City's public sewers, and who shall change or cause to be changed the nature or quantity of such sewage, shall before making such change, receive the approval of the Approving Authority of such change and may be required to furnish the Approving Authority a complete analysis of a composite sample of the sewage as determined by an independent laboratory.

Section 707. Grease, oil and sand separators or traps shall be provided when in the opinion of the Approving Authority they are necessary for the proper handling and control of liquid wastes containing grease, oil or sand in excessive amounts. Such separators shall not be required for private living quarters or dwelling units, but may be required for certain industrial or commercial establishments, public eating place, hospitals, hotels, schools or other institutions. Such separators shall be readily accessible for inspection by the person at no expense to the City and in continuously efficient operation at all times.

Section 708. Any person discharging industrial wastes into the public sewers may be required to construct and maintain a suitable control or inspection manhole either downstream from any pre-treatment, storage or other approved works, or if pre-treatment is not required, at the point where the sewage enters the public sewers. Such manhole shall be located so as to be readily accessible and shall be constructed in such a manner as may be approved by the Approving Authority so as to facilitate such inspection or measuring as may be necessary for proper sampling and/or control of the waste discharged.

Section 709. In all cases, sewage discharge will meet the pre-treatment limits, as set forth in the Oconee Joint Regional Sewer Authority's Sewer Use Regulations, latest edition.

Article VIII

SEWER TAPS

Section 801. The surcharge covering the cost of treatment of said industrial wastes shall be determined by the Oconee County Sewer Commission.

Section 802. Connection fees to the sewer system shall be charged based upon size and at the rate as shown in Appendix A of the current budget document.

- (A) Apartments, duplexes, condominiums, townhomes, and mobile home parks on one connection shall be charged a tap fee based on size, as listed in Appendix A of the current budget document, for the first single family dwelling unit, plus \$100.00 for each additional unit served by the same connection.
- (B) Motels on one connection shall be charge as outlined in Section (A) plus \$35.00 per bedroom unit served by the same connection.
- (C) Business or industrial users on one connection shall be charged a connection fee in accordance with the connection size plus \$100.00 for each equivalent unit of flow to be discharged by the user.
- (D) No individual may tap the City's sewer system without prior written approval, and payment of the proper fees. All premade taps must be coordinated with the City prior to installation.
- (E) To obtain a new sewer tap, the Water and Sewer Tap Application and Sewer Service Accessibility Form must be filled out completely. The Sewer Service Accessibility Form is sent to the Oconee Joint Regional Sewer Authority (OJRSA) for review. Once the applicable sewer impact fees have been paid in full to the Oconee Joint Regional Sewer Authority (OJRSA), the sewer tap fee may be paid to the City.

Section 803. The City will allow for a Summer Sewer Bill for June, July, August, and September billings based upon 9 months usage, and excluding the usage from the months of June July, August. The charge for the special sewer rate will be \$25.00. As an alternative, the City will install an irrigation only water tap for a one-time fee of \$500. The tap may only be used for outdoor irrigation, filling of pools, car washing, etc., and may not be connected to any structure. If the City declares mandatory use restrictions due to drought, the service will be discontinued, and the summer sewer rate will be cancelled.

ARTICLE IX

UTILITY SYSTEM EXTENSIONS

Section 901. New developments proposed to be constructed within the City Limits of Walhalla shall be provided access to adequate water service along public road rights of way which border the property to be developed. All proposed water main extensions within the development will be at the developer's cost, and built to meet the City's specifications. The developer's engineer will develop a preliminary plan to serve the development to include:

- Proposed use (residential, commercial, etc.)
- Number of units
- Anticipated water demand
- Preliminary layout of lots, water and sewer mains and sizes, proposed connection point(s) to public water and sewer systems, etc.
- Proposed timeline of project

Information provided during the initial design phase of the project will be used to determine the City's current ability to serve the project, and/or the need for existing system upgrades.

All required extensions of existing water mains, exceeding \$10,000, must be approved by City Council.

After the final development of plans, the project will follow the same process listed in Sections 903 – 911.

Section 902. Cost of design and construction of water lines in any new development, or line extension outside of the city limits, shall be the responsibility of the developer of such development.

Section 903. Water lines constructed within new developments may be conveyed to the City provided all lines are located within public rights of way or upon approval easements of adequate unobstructed widths to provide maintenance vehicle access.

Section 904. Any new development proposing to construct water distribution line or extensions to existing transmission mains to connect directly into the City's water system, shall conform it's plans and specs, shall be prepared by a registered engineer who is authorized by the laws of the state of South Carolina, and approved by any and all local, county and state authorities having jurisdiction.

Section 905. The following administrative procedures shall be followed:

- A. Submit preliminary construction plans to the approving authority in sufficient detail to indicate location, system layout, line sizes, service connections, flows, pressures and point of connection to the City's system.
- B. Receive preliminary approval from City and other jurisdictional agencies.
- C. Prepare construction drawings and documents for City approval.
- D. Secure all other agency approvals of construction drawings and contract documents.
- E. Upon receipt of all approvals, proceed with construction, notifying the approving authority of construction schedules.
- F. Provide the approving authority and its authorized representatives with permission for on-site inspection during construction.
- G. Furnish to the approving authority a certificate of completion, instrument of conveyance, warranty together with such other legal documents as may be required.

Section 906. Construction of the proposed water system shall be accomplished by a licensed utility contractor under the laws of the State of South Carolina who shall have paid all business licenses required by the City.

Section 907. Upon completion of construction, the engineer employed by the development shall inspect and furnish to the approving authority at no cost to the City, his certificate of completion indicating that the subject water system has been constructed in accordance with the approved plans and specs, and shall provide four copies of "As Built" drawings.

Section 908. The owner or his authorized agent shall submit a warranty which is a legal instrument in which the owner warrants the materials, equipment, and construction of the system for twelve months. The owner shall further warrant to the approving authority that all fees have been paid by him such that there is no outstanding indebtedness remaining and holding the City harmless in each instance.

Section 909. All water taps shall be made during construction from the main out to the property line. Location of all taps shall be recorded on the "AS Built" drawings.

Section 910. All water line extensions must be compatible with present and future plans and needs of the City.

Section 911. When all other requirements of this ordinance have been met and approved, the owner shall prepare and submit to the approving authority an Instrument of Conveyance, conveying the constructed system to the City, at no cost to the City and the system shall thereafter be owned, operated and maintained by the City, as provided for in this ordinance. The Instrument of Conveyance shall also include permanent easements and rights-of-way fully described and duly recorded at the appropriate authority.

Article X

VALIDITY

Section 1001. All ordinance or parts of ordinances or regulations or parts of regulations in conflict with this ordinance are hereby repealed.

Section 1002. This ordinance shall be forthwith codified in the Code of City Ordinances as required by Section 47-61.3 Code of Laws of South Carolina, 1962, and same shall be indexed under the general heading "Waterworks System of City of Walhalla".

Section 1003. The City of Walhalla, through its duly qualified officers, reserves the right to take such immediate action for emergencies not specifically covered herein, as they may deem necessary in the interest of public health and safety and further reserves the right to amend this ordinance, in part or in whole, whenever it may deem necessary, but such right will be exercised only in the manner established or prescribed for such matters, including but not limited to , Public Notice prior to final action.

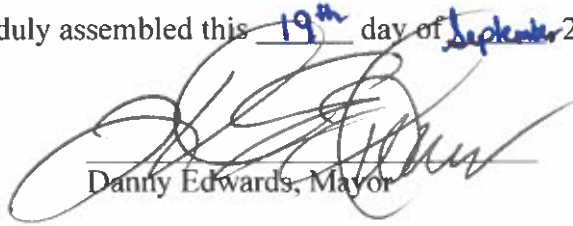
Section 1004. The invalidity of any section, clause, sentence or provision in this ordinance shall not affect the validity of any other section clause, sentence or provision of this ordinance which can be given effect without such invalid part of part.

ARTICLE XI

EFFECTIVE DATE

Section 1101. This ordinance shall be in full force and effect from and after its passage.

DONE AND RATIFIED in Council duly assembled this 19th day of September 2023.



Danny Edwards, Mayor

ATTEST:

Celia B Myers

Celia Myers, City Administrator

Introduced By: Keith Pace

First Reading: August 15, 2023

Second Reading and adoption: September 19, 2023