

Town of Mineral, VA
Thursday, August 15, 2024

Chapter 418. Water

[HISTORY: Adopted by the Town Council of the Town of Mineral effective 1-1-1982 as Ch. 20, Arts. I, II and IV of the 1982 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 375

Sewers — See Ch. 355.

Subdivision of land — See Ch. 380.

Article I. Water Supply System Generally

[1] *Editor's Note: For state law as to water supply systems generally, see Title 15.2, Ch. 21, Code of Virginia. As to power of Town Council with respect to utilities, see § 15.2-2109, Code of Virginia. For the State Water Control Law, see § 62.1-44.2 et seq., Code of Virginia. As to conservation of water resources, see § 62.1-44.36 et seq., Code of Virginia.*

§ 418-1. Duties of Town Manager.

The Town Manager shall have supervision over the water system and all pipes, plugs and other properties in any way connected therewith. The Town Manager shall keep all parts of the machinery and equipment in connection with the water system in good order and repair. He shall keep a map showing the location of the main pipes and length and size of each of them. When there is an extension of any main pipe, he shall mark on the map the place of the extension, size of pipe used and other related information and shall keep an account of the cost of material and labor used in making such extension. He shall keep a record of all branch pipes, hydrants and other connections with the water system.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-2. Water supply for premises intended for human occupancy.

All premises intended for human habitation or occupancy shall be provided with a supply of pure and wholesome water, neither connected with unsafe water supplied nor cross-connected through plumbing fixtures to the drainage system.

§ 418-3. Application for introduction of water to premises in Town.

Whenever any person owning property in the Town along the line of any water main shall desire the introduction of water into such premises, he shall make written application therefor to the Town Treasurer. Such application shall set forth the name of the applicant, the location of the property into which the water is to be introduced, the purposes for which the water is to be used and the name of the plumber who is to do the work incident to the introduction of water into the premises. Such application shall also contain a provision which, upon acceptance of the application by the Town Treasurer and subsequent connection of the service pipe with the main, will obligate the owner of the premises to pay for all water furnished pursuant to such application until the filing with the Town Clerk of a written

request for discontinuance of service. The Town Treasurer shall not cause water to be furnished at any water connection until the owner of the premises has agreed to pay for all water furnished.

§ 418-4. Supplying water outside of Town.

No water shall be supplied by the Town to any person outside of the Town, except upon express permission granted by the Town Council.

§ 418-5. Meter deposit required of applicants.

Any person applying for Town water service for property in the Town shall make a meter deposit of double the minimum charge for the billing period.

§ 418-6. How water introduced into premises.

- A. No water shall be introduced into any premises outside of the Town except under the supervision of the Town Manager.
- B. Water shall be introduced into premises within the Town only by or under the supervision of the Town Manager.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-7. Water connection fees for property in Town.

- A. Where, within the Town, an existing water main lies adjacent to the property to be connected thereto, the connection fee for the connection of such property to the main shall be at the rate established by the Council, to be shown on a schedule maintained in the office of the Clerk, with the rate established to be for a meter up to and including 3/4 of an inch in size and thereafter to be increased by the difference in the cost of the meter for a larger meter in size than 3/4 of an inch.
- B. When it is necessary to secure a highway permit, the person desiring the connection shall also pay the cost thereof.

§ 418-8. Water connection fees for property outside Town.

- A. Where, outside the Town, water from the Town is available from existing waterlines, the connection fee for connection of such property to the Town line shall be at the rate established by the Council, to be shown on a schedule maintained in the office of the Clerk, with the rate established to be for a meter up to and including 3/4 of an inch in size and thereafter to be increased by the difference in the cost of the meter for a larger meter in size than 3/4 of an inch. However, the party applying for such water connection shall be responsible for all labor, materials and expense in installing such waterline, except for the actual installation of the meter.
- B. Where it is necessary to secure a highway permit, the person desiring the connection shall also pay the cost thereof.

§ 418-9. Connection of sprinkler or fire protection system.

Any other provision of this article to the contrary notwithstanding, any person making a connection to a Town water main for a sprinkler system or other fire protection system shall pay the entire cost of the service main, valves, meters and meter vault.

§ 418-10. Restoration of service after termination for nonpayment.

Where the water has been turned off for nonpayment of a bill by the person responsible therefor or for any other valid reason, it shall not be turned on again until the charges or tariff fixed in this chapter for the use of water and a reconnection fee as set by the Town Council shall have been paid and the requisite deposit made, if no such deposit has previously been made.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-11. Charge for turning off water at request of customer.

A charge as set by the Town Council shall be made for having water service to particular premises turned off at the request of a water service customer.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-12. How cutoffs made.

Water cutoffs shall be made by the Town Manager.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-13. Check valves and cutoff valves required.

Each person whose property is connected to the Town water system shall provide a check valve between the Town's meter and any hot-water heater installed on the property and a cutoff valve on the service line on such person's property.

§ 418-14. Damaging property pertaining to system.

No person shall damage any property which pertains to or is a part of the Town's water system.

§ 418-15. Emergency consequent upon shortage of water.

The Mayor may, if at any time he is of the opinion that there is a shortage in the Town water supply and that an emergency exists with respect thereto, at such time, give due and adequate notice of the existence of such emergency and prescribe the extent to which the use of water shall be curtailed. Any person found guilty of using water other than as permitted by the terms of the order of the Mayor after due publication of the notice shall be guilty of a misdemeanor.

§ 418-16. Maintenance of supply in reservoirs; restrictions on use of water.

The Town Council reserves the right to reserve a sufficient supply of water at all times in its reservoirs to provide for fires and other emergencies and to restrict or regulate the quantity or quality of water used by consumers in the case of scarcity or whenever the public welfare may require it.

§ 418-17. Cutting off water supply.

The Town Council reserves the right to cut off, for any cause, the water supply of any or all consumers, upon 60 days' written notice from the Town Council to the consumer or consumers in question.

§ 418-18. Liability of Town.

In case of exercise of rights reserved in § 418-16 or 418-17 the Town shall not be liable for:

- A. Any damages or inconvenience suffered by any consumer.
- B. Any claim against it at any time for discontinuing the supply of water for any cause.
- C. Interruption of services supplying water for any cause.
- D. Lessening the supply of water or for furnishing a poor quality of water for any cause.

§ 418-19. Renewal of discontinued or suspended supply of water.

When the supply of water to the consumer is discontinued or suspended by the Town Council for any cause, it may be renewed upon a proper written application, on blanks supplied by the Town Council, when conditions under which the supply of water to the consumer was discontinued or suspended are corrected and on the payment of all charges provided in the schedule of rates or tariff of the use of water by the consumer.

§ 418-20. Town Council as judge of discontinuance of water supply.

The Town Council shall be the sole judge whether it is feasible to correct the conditions under which the supply of water to the consumer is discontinued or suspended.

Article II. Rates, Water Meters and Billing

§ 418-21. Definition.

For the purposes of this article, the word "consumer" shall mean each separate family using water for domestic purposes or watering of livestock or any person using water for business or other purposes, taking water by the means of and through a single service pipe or through connecting service lines from the water mains of the Town, including all persons purchasing water from the Town.

§ 418-22. Water charges generally.

All charges for the taking of water by a consumer shall be payable monthly and shall be determined, with the exception of the minimum charge, by the amount of water used during the preceding month.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-23. Finality of meter reading.

With regard to the quantity of water used by any consumer, the quantity recorded by the meter in question shall be conclusive both on the consumer and on the Town Council, except when the meter has been found to be registering inadequately or has ceased to register. In the latter case, the quantity of water so used shall be determined by the average registration of the meter when in order.

§ 418-24. Statements.

All statements for Town water service shall be computed by the Town Treasurer on the basis of the rates set out in this article and shall be on a monthly basis. Such statements shall be rendered to the family, property owner, occupant or user as soon as practicable after monthly readings. This statement shall be considered the correct assessment unless a correction is requested of the Town Treasurer within 10 days after the statement is sent out.

§ 418-25. Water supplied to multiple units through single service line.

When water is supplied by the Town through a single service line on which there is only one meter and such water is used by more than one segregated unit in the building, the owner of the building shall be responsible for the payment of the water bill.

§ 418-26. Complaints as to charges.

Any user of water service having a complaint in connection with the assessment of charges under this article shall report the same to the Town Treasurer, as provided in § 418-24, who shall adjust the same or refer the complaint to the Town Council.

§ 418-27. Effect of failure to pay bill by certain date.

In the event a person whose duty it is to pay a statement for Town water service, rendered as provided in § 418-24, by such date as may be established by the Town Treasurer with the approval of the Town Council shall fail to do so, the Town Treasurer may cause the water to the premises in question to be turned off.

§ 418-28. Town to furnish meters.

All water meters through which water is supplied to consumers shall be furnished by the Town and shall remain the property of the Town.

§ 418-29. Separate meter required or minimum charges to be paid.

There shall be a separate water meter for each residence or industrial or commercial establishment or the minimum charges set forth in this article shall be paid for each house or establishment served when a person has a meter that serves two or more houses or establishments, and if in such situation more than the minimum amount of water passes through such meter, the excess shall be paid for at the rates established and provided in this article.

§ 418-30. Installation and location of meters.

Each meter installed for the measurement of water supplied by the Town shall be installed by the Town, or its appointed agent, at a location approved by the Town or its agent.

§ 418-31. Control and inspection of meters.

Each meter installed for the measurement of water supplied by the Town shall at all times be subject to control and inspection by the Town or its agent, and where any meter is located on private property, building or premises, the Town shall have the right to enter upon or on the same at all reasonable hours for the purpose of inspection, repairing, replacing or removing such meter or to take meter readings.

§ 418-32. Responsibility for damage to meter.

Any meter injured for any cause, directly or indirectly, attributable to negligence of the owner or occupant shall be renewed or repaired at the expense of such owner or occupant of the property in question.

§ 418-33. Unauthorized interference with meters.

No person, other than an authorized representative of the Town, shall at any time remove, tamper with, undertake a repair or in any way interfere with the meter connected to the Town system.

§ 418-34. Procedure when meter tampered with.

If at any time it is found that a meter installed for the measurement of water supplied by the Town has been tampered with or for any reason fails to register or shall be found defective on registering since the previous reading, the water consumption for such period shall be estimated from other similar readings and the average taken of such readings for the same period, or from past readings or from a like installation.

§ 418-35. Water rates.

- A. Consumers within Town. Water consumers within the Town shall be charged rates to be fixed by the Town Council from time to time for the use of water supplied from the Town's waterworks or for hook-on or connection fees to the Town's system. A copy of a schedule of such rates shall be maintained on file in the office of the Town Clerk.
- B. Consumers outside Town.
 - (1) Water consumers outside the Town shall be charged rates to be fixed by the Town Council from time to time for the use of water supplied from the Town's waterworks or for hook-on or connection fees to the Town's system. A copy of a schedule of such rates shall be maintained on file in the office of the Town Clerk.
 - (2) Water consumers outside of Town, and any water consumers inside of the Town to which Town lines do not extend, may enter into a contract with Town for the installation and maintenance of their own line, and for the purchase of water from the Town, subject to rates and rules to be established by the Town Council in each individual case.
- C. Schools and other public buildings. Schools and other public buildings shall pay the same water rates to be fixed by the Town Council from time to time for the use of water supplied from the Town's waterworks or for hook-on or connection fees to the Town's system. A copy of a schedule of such rates shall be maintained on file in the office of the Town Clerk.
- D. Water for sprinkler or fire protection system. Water consumers using water to supply a sprinkler system or to provide other fire protection service shall not be charged a minimum charge nor shall

there be a minimum charge made for extinguishing fires or for testing a sprinkler or other fire protection service system.

Article III. Cross-Connection and Backflow Prevention

§ 418-36. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AIR GAP SEPARATION

The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying pure water to a tank, plumbing fixture, or other device and the rim of the receptacle.

AUXILIARY WATER SYSTEM

Any water system on or available to the premises other than the waterworks. These auxiliary waters may include water from another purveyor's waterworks, or water from a source such as wells, lakes or streams, or process fluids, or used water. They may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.

BACKFLOW

The flow of contaminants, pollutants, process fluids, used water, untreated waters, chemicals, gases, or nonpotable waters into any part of a waterworks.

BACKFLOW PREVENTION DEVICE

Any approved device, method, or type of construction intended to prevent backflow into a waterworks.

CONSUMER

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

CONSUMER'S WATER SYSTEM

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

CONTAMINATION

Any introduction into pure water of microorganisms, wastes, wastewater, undesirable chemicals, or gases.

CROSS-CONNECTION

Any connection or structural arrangement, direct or indirect, to the waterworks whereby backflow can occur.

DEGREE OF HAZARD

This is a term derived from an evaluation of the potential risk to health and the adverse effect upon the waterworks.

DOUBLE GATE-DOUBLE CHECK VALVE ASSEMBLY

An approved assembly composed of two single, independently acting check valves including tightly closing shutoff valves located at each end of the assembly and petcocks and test gauges for testing the watertightness of each check valve.

HEALTH HAZARD

Any condition, device, or practice in a waterworks or its operation that creates, or may create, a danger to the health and well-being of the water consumer.

INTERCHANGEABLE CONNECTION

An arrangement or device that will allow alternate but not simultaneous use of two sources of water.

POLLUTION

The presence of any foreign substance (chemical, physical, radiological, or biological) in water that tends to degrade its quality so as to constitute an unnecessary risk or impair the usefulness of the water.

POLLUTION HAZARD

A condition through which an aesthetically objectionable or degrading material may enter the waterworks or a consumer's water system.

PROCESS FLUIDS

Any fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted which would constitute a health, pollutional, or system hazard if introduced into the waterworks. This includes, but is not limited to:

- A. Polluted or contaminated waters;
- B. Process waters;
- C. Use waters originating from the waterworks which may have deteriorated in sanitary quality;
- D. Cooling waters;
- E. Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- F. Chemicals in solution or suspension; and
- G. Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for fire-fighting purposes.

PURE WATER or POTABLE WATER

Water fit for human consumption and use which is sanitary and normally free of minerals, organic substances, and toxic substances, and toxic agents in excess of reasonable amounts for domestic usage in the area served and normally adequate in supply for the minimum health requirement of the persons served.

REDUCED-PRESSURE-PRINCIPLE BACKFLOW PREVENTION

A device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks. These devices must be of the approved type.

SERVICE CONNECTION

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

SYSTEM HAZARD

A condition posing an actual or threat of damage to the physical properties of the waterworks or a consumer's water system.

USED WATER

Any water supplied by a water purveyor from waterworks to a consumer's water system after it has passed through the service connection.

WATER PURVEYOR

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

WATERWORKS

All structures and appliances used in connection with the collection, storage, purification and treatment of water for drinking or domestic use and the distribution thereof to the public or residential consumers as set forth in Article 2 of Chapter 6 of Title 32.1, Code of Virginia, as amended.

§ 418-37. Cross-connections unlawful.

- A. No person shall install or maintain a water service connection to any premises where cross-connections to the Town's water system or a consumer's water supply may exist unless such cross-connections are abated or controlled to the satisfaction of the Town.
- B. No person shall install or maintain any connection whereby water from an auxiliary water system may enter the Town's or consumer's water system unless the auxiliary water system and the method of connection and use of such system shall have been approved by the Town.

[1] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-38. Inspections.

It shall be the duty of the Mineral Town Council to cause inspections to be made of properties served by the waterworks where cross-connection with the waterworks is deemed possible. The frequency of inspections, and reinspections, based on potential health hazards involved, shall be established by Mineral Town Council in the Cross-Connection Control and Backflow Prevention Program and as approved by the Virginia Department of Health.

§ 418-39. Right of entry.

The representative of the Town of Mineral shall have the right to enter at any reasonable time properties served by a connection to the waterworks of Mineral for the purpose of inspecting the piping system or systems for cross-connections. Upon request, the owner, or occupants, of property served shall furnish to the inspection agency pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connection.

§ 418-40. Backflow prevention devices.

- A. An approved backflow prevention device shall be installed on each service line to a consumer's water system where, in the judgment of the Town, a health, pollutional or system hazard to the water system exists.
- B. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist, except as noted in Subsection **B(7)** below:
 - (1) Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Town.
 - (2) Premises on which any substance is handled in such a manner as to create an actual or potential hazard to the water system, including premises having sources or systems containing

process fluids or waters originating from a waterworks which are not under the control of the Town.

- (3) Premises having internal cross-connections that, in the judgment of the Town Manager, may not be easily correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.
 - (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
 - (5) Premises having a repeated history of cross-connections being established or reestablished.
 - (6) Premises having fire protection systems utilizing combinations of sprinklers, fire loops, storage tanks, pumps, antifreeze protection or auxiliary water, except that fire loops and sprinkler systems with openings not subject to flooding, containing no antifreeze or other chemicals and with no storage or auxiliary sources will not normally require backflow prevention.
 - (7) Premises having booster pumps connected to the waterworks shall be equipped with a low-pressure cutoff device to shut off the booster pump when the pressure in the waterworks drops to a minimum of 10 pounds per square inch gauge.
 - (8) Other premises specified by the Town when cause can be shown that a potential cross-connection hazard exists.
- C. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving the following types of facilities:
- (1) Hospitals, mortuaries, clinics and nursing homes.
 - (2) Laboratories.
 - (3) Piers, docks and waterfront facilities.
 - (4) Sewage treatment plants, sewage pumping stations or stormwater pumping stations.
 - (5) Food and beverage processing plants.
 - (6) Chemical plants and dyeing plants.
 - (7) Metal plating industries.
 - (8) Petroleum processing or storage plants.
 - (9) Radioactive materials processing plants or nuclear reactors.
 - (10) Car washes.
 - (11) Lawn sprinkler systems and irrigation systems.
 - (12) Fire service systems.
 - (13) Slaughterhouses and poultry processing plants.
 - (14) Farms where the water is used for other than household purposes.
 - (15) Premises under construction and to be constructed as provided in the Uniform Statewide Building Code.
 - (16) Others specified by the Town Manager where potential backflow or cross-connection hazard can be shown.

[1] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-41. Right to deny service.

The water purveyor may deny or discontinue the water service to a consumer if the required backflow prevention device is not installed. If it is found that the device(s) has been removed or bypassed or if a cross-connection exists on the premises, or if the pressure in the waterworks is lowered below 10 psi gauge, the purveyor shall take positive action to ensure that the waterworks is adequately protected at all times. Water service to such premises shall not be restored until the deficiencies have been corrected or eliminated in accordance with the Commonwealth of Virginia Waterworks Regulations and to the satisfaction of the purveyor.

§ 418-42. Protection from contamination.

The potable water made available on the properties served by the waterworks shall be protected from possible contamination or pollution by enforcement of this article and the County of Louisa Plumbing Code. Any water outlet which could be used for potable or domestic purposes and is not supplied by the potable system must be labeled as "Water Unsafe for Drinking" in a conspicuous manner.

§ 418-43. Effect on plumbing codes.

This article is a supplement to the applicable plumbing codes.

§ 418-44. Violations and penalties.

Any person or customer found guilty of violating any of the provisions of this article, or any written order of the Town of Mineral in pursuance thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided in § 1-3 of this Code. Each day upon which a violation of the provisions of this article shall occur shall be deemed a separate and additional violation for the purposes of this article.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

Article IV. Delinquent Charges

§ 418-45. Delinquent water charges to be lien against property.

All charges for services or fees under this chapter for water services or fees which remain unpaid and delinquent for as much as 60 days from the due date shall be a lien against the real estate of any owner to whom such services were supplied, and if the party owing such charges that are delinquent as herein stated is a tenant and not an owner of such real estate, then such indebtedness shall be a lien against any personal property of the tenant located within the limits of the Town. If any such delinquent charges are due at the time taxes are billed to any such party, such delinquent charges shall be placed on the tax bill of such owner or tenant and collected as taxes are collected.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*