

1 **ARTICLE I. GENERALLY**

2  
3 **Sec. 66-31. Purpose.**

4 The purpose of this chapter is to secure and promote the health, safety and general  
5 welfare of the inhabitants of the county; to provide a clean, potable water supply and prevent the  
6 spread of contagious diseases among persons or animals; and to prevent the pollution of water  
7 in the county whereby it is rendered dangerous to the health or lives of the persons residing in  
8 the county.

9  
10 **Sec. 66-32. Definitions.**

11 The following words, terms and phrases, when used in this chapter, shall have the  
12 meanings ascribed to them in this section, except where the context clearly indicates a different  
13 meaning. Unless the context of usage indicates otherwise, the terms in this chapter not defined  
14 in this section shall be defined as provided in the most current edition, as amended from time to  
15 time, of the glossary of *Water and Wastewater Control Engineering* prepared by the Joint  
16 Editorial Board of the American Public Health Association, American Society of Civil Engineers,  
17 American Water Works Association, and Water Environment Federation, originally copyrighted  
18 in 1969.

19 *Act* means the Federal Clean Water Act, 33 USC 1251 et seq.

20 *Approval authority* means the executive director or director of the state water control  
21 board.

22 *ASTM* means the American Society for Testing and Materials.

23 *Authorized representative of industrial user* means:

24 (1) A principal executive officer of at least the level of vice-president, or equivalent, if the  
25 industrial user is a corporation;

26 (2) A general partner or proprietor if the industrial user is a partnership or sole proprietorship  
27 respectively; or

28 (3) A duly authorized representative of the individual designated in subsection (1) or (2) of this  
29 definition if such representative is responsible for the overall operation of the facility from which  
30 the discharge to the POTW originates.

31 The authorization must be submitted to the public utilities director prior to or together with any  
32 reports to be signed by the authorized representative.

33 *BOD (biochemical oxygen demand)* means the quality of oxygen used in the  
34 biochemical oxidation of organic matter under standard laboratory procedure in five days at 20  
35 degrees Celsius, expressed in milligrams per liter.

36 *Building sewer* means a building wastewater plumbing facility or its extension.

37 *Categorical pretreatment standard* and *categorical standard* mean any regulation  
38 containing pollutant discharge limits promulgated by the EPA in accordance with sections  
39 307(a) and 307(c) of the Act, which apply to specific categories of industrial users which appear  
40 in 40 CFR 405--471.

41 *Central sewerage system* means a sewerage system consisting of pipelines or conduits,  
42 pumping stations, force mains or sewerage treatment plants, including but not limited to septic  
43 tanks and/or drain fields, or any of them, designed to serve three (3) or more connections, used  
44 for conducting or treating sewage.

45 *Central water supply* means a water supply consisting of a well, springs or other source  
46 and the necessary pipes, conduits, mains, pumping stations, and other facilities in connection  
47 therewith, designed to serve three (3) or more connections.

48 *Combined sewer* means a sewer intended to receive both wastewater and stormwater  
49 or surface water.

50            *Connection or Service connection* means (a) for the water system, the point of delivery  
51 of water from the county facility after the meter to a customer's building service line; or (b) for  
52 the sewer system, the point of collection and access to the sewer system, from which point  
53 downstream the county is responsible and the owner is responsible upstream.

54            *Consumer or User* means one who drinks water from the system, utilizes or accesses  
55 the system, or is a source of wastewater discharge into a POTW or into the county sewer  
56 system, as applicable.

57            *County sewer system, sewer system, or wastewater system* means all pipes, lines,  
58 devices, equipment, meters, pumps, pump stations, manholes, structures or other facilities  
59 comprising or used in connection with the county's system for collecting wastewater  
60 downstream from a connection.

61            *Customer* means the individual or business executing a water and/or sewer system  
62 users agreement for providing county utility service to a property and responsible for the  
63 charges and fees related thereto. If not designated by agreement otherwise, the owner of a  
64 property served by the utility system is the customer.

65            *Day* means the 24-hour period beginning at 12:01 a.m.

66            *Discharger* means a governmental entity, person, firm, business, company, industry or  
67 other similar source of wastewater who introduce such into the POTW.

68            *Easement* means an acquired legal right for the specific use of land owned by others.

69            *EPA* means the United States Environmental Protection Agency.

70            *ERU* means equivalent residential unit.

71            *Establishment* means any industrial establishment, mill, factory, tannery, paper or pulp  
72 mill, mine, colliery, breaker or coal processing operations, quarry, oil refinery, boat, vessel and  
73 each and every other industry, business, activity, plant or works the operation of which produces  
74 industrial wastes or other wastes or which may otherwise alter the physical, chemical or  
75 biological properties of any state waters.

76            *Existing source* means any source of discharge the construction or operation of which  
77 commenced prior to the publication or proposed categorical pretreatment standards which will  
78 be applicable to such course if the standard is thereafter promulgated in accordance with  
79 section 307 of the Act.

80            *Garbage* means the solid animal and vegetable wastes resulting from the domestic or  
81 commercial handling, storage, dispensing, preparation, cooking and serving of foods.

82            *Groundwater* means water beneath the land surface in the zone of saturation.

83            *Indirect discharge* means the introduction of nondomestic pollutants into the POTW  
84 from any nondomestic source regulated under section 307(b), (c) or (d) of the Act.

85            *Health department* means the local or regional office of the Virginia Department of  
86 Health.

87            *Industrial user, commercial user and significant discharger* mean a source of indirect  
88 discharge or a nondomestic discharge to a treatment works.

89            *Industrial wastes* means liquid or other wastes resulting from any process of industry,  
90 manufacturer, trade or business, or from the development of any natural resources.

91            *Interference* means an inhibition or disruption of the POTW, its treatment processes or  
92 operations, or its sludge processes, which clearly causes, in whole or in part, a violation of any  
93 requirement of the POTW's VPDES permit, including those discharges that prevent the use or  
94 disposal of sludge by the POTW in accordance with any federal or state laws, regulations,  
95 permits or sludge management plans.

96            *Natural outlet* means any outlet into a watercourse, pond, ditch, lake or any other body  
97 of surface water or groundwater.

98            *New source* has the same meaning as provided in 40 CFR 403.3(k).

99            *O&M* means operations and maintenance.

100 *Owner* means the commonwealth or any of its political subdivisions, including but not  
101 limited to sanitation district commissions and authorities, and public or private institutions,  
102 corporations, associations, firms or companies organized or existing under the laws of this or  
103 any other state or country, or any person or group of persons acting individually or as a group.

104 *Pass-through* means the discharge of pollutants through a POTW into state waters in  
105 quantities or concentrations which are a cause in whole or in part of a violation of any  
106 requirement of the POTW's VPDES permit, including an increase in the magnitude or duration  
107 of a violation.

108 *pH* means the logarithm of the reciprocal of the hydrogen ion concentration expressed  
109 in grams per liter of solution as determined by Standard Methods.

110 *Pollutant* means any dredged spoil, solid waste, incinerator residue, sewage, garbage,  
111 sewage sludge, munitions, medical waste, chemical waste, industrial waste, biological  
112 materials, radioactive material, heat wrecked or discarded equipment, rock, sand, cellar dirt,  
113 agricultural and industrial waste, that may influence the characteristics of the wastewater (i.e.,  
114 pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, odor).

115 *POTW (publicly owned treatment works)* means any sewage treatment works that is  
116 owned by the federal government, the Commonwealth of Virginia, or one or more of its political  
117 subdivisions, including counties, cities, towns, authorities or municipalities and accessed by the  
118 county. Sewers, pipes or other conveyances are included in this definition only if they convey  
119 wastewater to a POTW providing treatment.

120 *Pretreatment* means the reduction of the amount of pollutants, the elimination of  
121 pollutants, or the alteration of the nature of pollutant properties in wastewater prior to discharge  
122 into the county sewer system.

123 *Pretreatment requirement* means any substantive or procedural requirement related to  
124 pretreatment imposed on an industrial user, other than pretreatment standards.

125 *Pretreatment standards* means any regulation containing pollutant discharge limits  
126 promulgated by the EPA in accordance with section 307(b) and (c) of the Act, which applies to  
127 industrial users.

128 *Prohibited discharges and prohibited discharge standards* mean absolute prohibition  
129 against the discharge of certain substances. The prohibitions appear in sections 66-106 and 66-  
130 107.

131 *Properly shredded garbage* means garbage that has been shredded to such a degree  
132 that all particles will be carried freely under flow conditions normally prevailing in the treatment  
133 works, with no particle greater than one-half inch in any dimension.

134 *Public utilities director* means the county administrator of the county or any authorized  
135 designee by such county administrator.

136 *Residential and residential user* mean all premises used or available for use only for  
137 human residency and which are connected to the county sewer system.

138 *Sanitary wastewater* means wastewater discharged from the sanitary conveniences of  
139 dwellings, office buildings, industrial plants or institutions.

140 *Significant industrial user* means as follows:

- 141 (1) Has a process wastewater flow of 25,000 gallons or more per average workday, excluding  
142 sanitary, noncontact cooling and boiler blowdown wastewater;  
143 (2) Contributes a process waste stream which makes up five percent or more of the average  
144 dry weather hydraulic or organic capacity of the POTW;  
145 (3) Is subject to categorical pretreatment standards; or  
146 (4) Has significant impact, either singularly or in combination with other significant discharges,  
147 on the treatment works or the quality of its effluent.

148 *Slug load* means any discharge at a flow rate or concentration which could cause a  
149 violation of the prohibited discharge standard in section 66-111 or any discharge of a

150 nonroutine, episodic nature, including but not limited to an accidental spill or noncustomary  
151 batch discharge.

152 *Standard Methods* means *Standard Methods for the Examination of Water and*  
153 *Wastewater*, 20th edition, published by the American Public Health Association, Water  
154 Environment Federation and the American Water Works Association, or any such successor  
155 publication.

156 *Storm sewer* means a sewer for conveying stormwaters, surface waters and other  
157 waters which are not intended to be transported to the county sewer system.

158 *Surface water* means:

159 (1) All waters which are currently used, were used in the past, or may be susceptible to use in  
160 interstate or foreign commerce, including all waters which are subject to the ebb and flow of the  
161 tide;

162 (2) All interstate waters, including interstate wetlands;

163 (3) All other waters such as interstate/intrastate lakes, rivers, streams (including intermittent  
164 streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, or natural  
165 ponds the use, degradation or destruction of which would affect or could affect interstate or  
166 foreign commerce including any such waters:

167 a. Which are or could be used by interstate or foreign travelers for recreational or other  
168 purposes;

169 b. From which fish or shellfish are or could be taken and sold in interstate or foreign  
170 commerce; or

171 c. Which are used or could be used for industrial purposes by industries in interstate  
172 commerce;

173 (4) All impoundments of waters otherwise defined as surface waters under this definition;

174 (5) Tributaries of waters identified in subsections (3)a. and (4) of this definition;

175 (6) The territorial sea; and

176 (7) Wetlands adjacent to waters, other than waters that are themselves wetlands, identified in  
177 subsections (1)--(6) of this definition.

178 *Suspended solids* means the total suspended matter that either floats on the surface of  
179 or is in suspension in water or wastewater as determined by Standard Methods.

180 *System* means alternately the county sewer system, water system or both, within the  
181 context of such facility's use, construction, organization, control or management in this chapter.

182 *TKN (total Kjeldahl nitrogen)* means the total quantity of organic nitrogen and ammonia  
183 nitrogen in water or wastewater as determined by Standard Methods expressed in milligrams  
184 per liter (mg/l).

185 *Toxic* means any of the pollutants designated by federal regulations pursuant to section  
186 307(a)(1) of the Act.

187 *Treatment facility* means only those mechanical-power-driven devices necessary for the  
188 transmission and treatment of pollutants (e.g., pump stations, unit treatment processes).

189 *Treatment works* means any devices and systems used for the storage, treatment,  
190 recycling and/or reclamation of sewage or liquid industrial waste, or other waste necessary to  
191 recycle or reuse water, including intercepting sewers, outfall sewers, sewage collection  
192 systems, individual systems, pumping, power and other equipment and their appurtenances;  
193 extensions, improvements, remodeling, additions or alterations; and any works, including land  
194 that will be an integral part of the treatment process or is used for ultimate disposal of residues  
195 resulting from such treatment; or any other method or system used for preventing, abating,  
196 reducing, storing, treating, separating, or disposing of municipal waste or industrial waste,  
197 including waste in combined sewer water and sanitary sewer systems, and including the county  
198 sewer system.

199 *TSS (total suspended solids)* means the total amount of suspended solids.

200            *User permit* means a document issued by the county to the user that permits the  
201 connection to and/or introduction of wastes into the county sewer system under the provisions  
202 of this chapter.

203            *VPDES* means the Virginia Pollutant Discharge Elimination System permit program, as  
204 administrated by the commonwealth.

205            *Wastewater* means a combination of liquid and water-carried wastes from residences,  
206 commercial buildings, industries and institutions, together with any groundwater, surface water  
207 or stormwater that may be present.

208            *Water system* means all waterworks, pipes, lines, devices, equipment, meters, pumps,  
209 pump stations, tanks, treatment works, mains, valves, taps, structures or other facilities  
210 comprising or used in connection with the county's system for collection, purification, holding  
211 and delivery of public water.

212  
213 **Sec. 66-33. Management and administration vested in the public utilities director.**

214 All aspects of the county water and sewer system shall be under the management, supervision  
215 and control of the public utilities director who shall administer, implement and enforce the  
216 provisions of this chapter. The public utilities director shall keep on file in his office suitable  
217 records of service area maps delineating where connections are mandatory and showing the  
218 size and location of all existing system resources, including sewer lines, pumps, water mains,  
219 service connections and appurtenances thereto.

220  
221 **Sec. 66-34. Right of Entry.**

222 (a) The public utilities director or his authorized agents, bearing proper credentials and  
223 identification, shall be permitted to enter all private property through which the county holds an  
224 easement or in premises to which water or sewer service is provided for the purposes of  
225 inspection, observation, measurement, sampling, repair and maintenance of any of the system,  
226 to examine the service lines, meters or other equipment and to take up, repair or remove them  
227 so as to ensure compliance with this chapter and state and federal law. Meters for private wells  
228 shall be sited at wellhead and accessible 24 hours a day without notice by the public utilities  
229 director or his authorized agents, bearing proper credentials and identification.

230 (b) The public utilities director, his authorized agents or state or federal officials, bearing the  
231 proper credentials and identification, shall be permitted to enter all premises where an effluent  
232 source or treatment system is located at any reasonable time for the purposes of inspection,  
233 observation, measurement, sampling or copying records of the wastewater discharge to ensure  
234 that discharge to the county sewer system is in accordance with the provisions of this chapter.

235  
236 **Sec. 66-35. Unauthorized Use of System; Damaging or Tampering with System.**

237 (a) In addition to criminal liability under state or federal statutes, it shall be unlawful to  
238 maliciously, willfully or negligently break, damage, destroy, mark, deface, uncover, tamper,  
239 obstruct access to, interfere with, disconnect, open, disturb, use or access any pipe, line,  
240 manhole, building, meter, hydrant, structure, equipment, machinery, apparatus or  
241 appurtenances of the system or any part of such system belonging to the county or to commit  
242 any act tending to obstruct or impair the intended use of this property, remove water from the  
243 water system at any main, fire hydrant or other unauthorized location in the system so as to  
244 waste water, to cause harm to users of the system or to secure free or illicit access or use  
245 thereof without permission of the public utilities director or excepting cases provided for in this  
246 Code or otherwise provided by ordinance. In addition to penalties prescribed in this chapter  
247 generally, any violation of this section shall be punishable as a class 1 misdemeanor.

248 (b) In addition to criminal charges arising hereunder, (i) any person unlawfully removing water  
249 from a fire hydrant or other unauthorized location on the county water system shall be held

250 liable for the water used at standard rates. If the amount of water unlawfully removed is  
 251 uncertain, a charge of \$400.00 shall be assessed; or (ii) any person unlawfully using or  
 252 accessing the sewer system shall be held liable for such illegal use or access shall be held  
 253 liable for the use of the sewer system at standard rates. If the amount of use is uncertain, a  
 254 charge of \$400.00 shall be assessed.

255 (c) In addition to criminal charges arising hereunder, any unauthorized person damaging,  
 256 disturbing, defacing, injuring or destroying such facilities shall be held liable for any repair,  
 257 cleaning, replacement, or servicing.

258  
 259 **Sec. 66-36. Use of water in cases of emergency.**

260 Notwithstanding any other provisions of this chapter, the occupant of premises supplied with  
 261 county water whose hydrant or pipe is out of order may use water from the hydrant or pipe on  
 262 another property with the owner's permission. Any person may use county water to put out a fire  
 263 in an emergency, and fire companies may use county water to practice and to examine, clean  
 264 and put their engines and hoses in good condition.

265  
 266 **Sec. 66-37. Protection of capacity for existing users.**

267 The public utilities director shall not issue a permit for any class of connection to the  
 268 system unless there is sufficient capacity available to the county, not legally committed to other  
 269 users, to provide adequate service which the requested connection will use. The public utilities  
 270 director may permit such a connection if there are reasonably foreseeable commitments to  
 271 provide the needed capacity.

272  
 273 **Reserved 66-38 through 66-49**

274  
 275 **ARTICLE II. CHARGES AND RATES**

276  
 277 **Sec. 66-50. Connection fees.**

278 (a) The water connection fee shall be based on the size of the water meter that the public  
 279 utilities director installs. The wastewater connection fee shall be based on the size of the  
 280 wastewater meter or ERUs that serves the property. If the property does not receive water  
 281 service, the wastewater connection fee shall be based on the size of the water meter or ERUs  
 282 that would serve the property if it received water service.

283  
 284 (b) The connection fees shall be:

285 TABLE INSET:

286

Customer Class		Water Meter Size (inches)	Number of ERU's per Unit	Connection Fee	
				Water	Wastewater
(i)	For a dwelling, single-family, including townhouses, mobile homes that are not located in a	5/8	1.00	\$ 3,970.00	\$ 2,725.00

	mobile home park, and individually metered multifamily dwelling units.				
(ii)	For a dwelling, two-family (per unit)	5/8	1.00	3,970.00	2,725.00
(iii)	For mobile homes that are located in a mobile home park and for master metered multiple-family dwellings other than multiple-family dwellings used exclusively as housing for colleges and/or universities (per unit)		0.85	3,375.00	2,316.00
(iv)	For all other customer classes	5/8	1.00	3,970.00	2,725.00
		3/4	1.50	5,955.00	4,088.00
		1	2.50	9,925.00	6,813.00
		1 1/2	5.00	19,850.00	13,625.00
		2	8.00	31,760.00	21,800.00
		3	16.00	63,520.00	43,600.00
		4	25.00	99,250.00	68,125.00
		6	50.00	198,500.00	136,250.00

287 The connection fee for meters that are larger than six inches shall be determined by the director  
288 based on the number of ERUs per unit.

289 (v) The connection fee for a dwelling that is served by a meter that is larger than five-eighths  
290 inch shall be the same connection fee charge in subsection (b)(iv).

291 (c) reserved.

292 (d) The consumer shall construct, at his expense, any and all water lines and wastewater  
293 laterals to serve the property.

294 (e) When the board of supervisors approves a utility extension, the connection fee shall be  
295 deemed an initial connection fee in an amount of either (i) \$50.00 for property on which an  
296 existing residence is located or (ii) \$100.00 for property on which an existing business is located  
297 and which is served by the extension for customers who apply for service within 90 days after  
298 the date of notice from the county that service exists.

299 (f) The connection fee shall be the fee that is in effect on the date that the customer applies for  
300 service except that, when the board of supervisors approves funding for a utility extension, the  
301 connection fee for customers who apply for service within 90 days after the extension is  
302 completed shall be the connection fee that was in effect when the board approved the  
303 extension.

304

305 **Sec. 66-51. Utility charges.**

306 Effective with bills issued on and after September 1, 2010, the customer shall pay charges for  
 307 utility service comprised of and in accordance with the following schedules of rates and charges:  
 308 (a) *Monthly service charges.* The monthly service charge shall be comprised of the following:  
 309 (1) *Customer account charge.* A monthly administrative charge of \$5.00 shall be levied on  
 310 each customer account. However, customers who have only a water service account or a  
 311 wastewater service account shall pay a monthly administrative charge of \$3.50. Customers  
 312 shall pay an administrative fee of \$25.00 when they open or revise a utilities account. The  
 313 charge shall be applied on the first utility bill after the revision.

314 (2) *Commodity charge.* Based on the table below for metering requirements, ERU  
 315 determinations and other usage-based rate charges

316 (i) Water: \$25.00 per 2,000 gallons or part thereof and \$4.00 per 1,000 gallons or part thereof  
 317 thereafter.

318 (ii) Wastewater: \$25.00 per equivalent residential unit (ERU) as such standard is determined  
 319 by the Virginia Department of Health regulations.

320

321 (iv) *Commodity charge and rate assignment:*

322 **TABLE INSET:**

		<b>WASTEWATER CHARGES</b>		<b>WATER CHARGES</b>
		<b>A rate of \$25 per ERU applies</b>		<b>Rate Charges as follows</b>
	<b>Customer Class</b>	<b>Unit equivalent</b>	<b>ERU's Per Unit</b>	
(a)	Residential Non-commercial, non-residential facilities	1 family unit Per structure	1 1	\$25.00 for first 2,000 gallons, additional usage @ \$4.00 per 1,000 gallons
(b)	Car wash, Laundromat, Restaurants, Industries or Industrial-zoned, Salons and Barber Shops	Meter required	Meter required	\$25.00 for first 2,000 gallons, additional usage @ \$4.00 per 1,000 gallons
(c)	Professional, Office, Retail space (not storage) and Business (except those otherwise listed)	Per 1,000 sq. feet	1	\$25.00 for first 2,000 gallons, additional usage @ \$4.00 per 1,000 gallons
(d)	Nursing / convalescent & homes for the aged Motels, hotels & bed & breakfast	Per bed Per room	0.45 0.45	\$25.00 for first 2,000 gallons, additional usage @ \$4.00 per 1,000 gallons

(e)	Governmental & Educational	Flat rate as determined by the Board of Supervisors	Flat rate as determined by the Board of Supervisors	\$100.00 first 2,000 gallons, additional usage @ \$15.00 per 1,000 gallons
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323 (v) Customers requiring metered wastewater service shall be charged \$25 for the first 2,000  
324 gallons, and an additional \$3.00 per 1,000 gallons thereafter.

325 (vi) Any customer using in excess of 50,000 gallons of wastewater monthly will be required to  
326 be metered.

327 (vii) Uses not enumerated in the table above shall be charged according to the most similar  
328 usage rate as determined by the public utilities director.

329 (3) *Nonuser service charge.* Regardless of water use, customers who are required to connect  
330 but choose not to use the county water system shall be charged a monthly nonuser service  
331 charge comprised of (i) a customer account charge pursuant to section 66-51(a)(i) and either (a)  
332 \$25.00 for residential service or (b) \$25.00 for commercial service.

333 (4) *Customer account setoff.* The county shall set off any refunds to which a customer is  
334 entitled against any debts that the consumer owes the county.

335  
336 (b) *Ancillary charges.*

337 TABLE INSET:

Type		Charge
(1)	Bulk Water Charge	\$750.00 up to 1,000 gallons; \$15.00 per 1000 gallons or any part thereof thereafter
(2)	Bacteriological test for new construction, per test	23.50
(3)	Meter testing charges:	
	(i) 5/8-inch	30.00
	(ii) 1-inch	30.00
	(iii) 1 1/2-inch	40.00
	(iv) 2-inch	40.00
	(v) Meters that are larger than two inches will be charged the actual cost of the test	
(4)	Temporary voluntary meter disconnection fee	Customer cost charge plus capacity costs charge for each billing period of disconnection, plus service reconnection fee
(5)	Meter reinstallment fee	Customers shall pay a charge of \$50.00 for reinstalling meters that are two inches or smaller. Consumers shall

		pay the actual cost incurred by the county for labor, materials and equipment, plus 25 percent for reinstalling meters that are larger than two inches.
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338 (c) Multiple-family dwellings, schools, churches, businesses, industries and other types of units  
339 will be valued in multiples of an ERU.

340 (d) A consumer who has paid a connection fee shall pay the monthly service charges and  
341 ancillary charges, irrespective of whether the consumer is actually receiving utility service.

342 (e) Significant industrial users shall pay a surcharge for the cost of treating excessive strength  
343 waste or pollutants in accordance with such schedule as approved in advance by the public  
344 utilities director.

345 (f) When a water meter is tested at the consumer's request and the test establishes that the  
346 meter is inaccurate according to applicable industry standards, the consumer shall not be  
347 assessed the meter testing charge.

348 (g) In addition to other applicable enforcement penalties, any person who makes an erroneous  
349 request for system repairs or a service call to the county and it is determined that such request  
350 or call involved a matter that was not related to the improper functioning or operation of the  
351 county's facilities shall pay the following fees:

352 (1) For erroneous system repairs or service calls made Monday through Friday during normal  
353 county business hours (8:30 a.m. to 4:30 p.m.), \$45.00; or

354 (2) For erroneous system repairs or service calls made at any time other than those set forth in  
355 subsection (1) of this section, or during any holiday observed by the county, \$65.00.

356 **Sec. 66-52. Payment per meter reading generally; relief in certain cases.**

357 All water passing through a meter will be charged for whether used or wasted, beginning with  
358 the installation of the meter; provided that, where underground leaks occur in water pipes or  
359 metered services and the owner, agent or tenant shall have promptly made all necessary  
360 repairs, the public utilities director may rebate the amount in excess of double the amount of the  
361 average monthly bills for the premises. The public utilities director may grant this relief where an  
362 unknown problem results in metered water consumption in excess of double the average  
363 monthly bills and, in the public utilities director's judgment, the water was not beneficially used.  
364 Adjustments for an unknown problem will be limited to once in a three-year period per customer  
365 unless an extreme hardship exists. Such average monthly bill shall be determined by averaging  
366 monthly bills for the preceding six months, or preceding three monthly billing periods.

367 **Sec. 66-53. Charges when meter is broken.**

368 In the event of a meter failing to register properly for any cause and the user has received the  
369 usual or necessary supply of water or sewer service during the time of such failure of the meter  
370 to register, it shall be lawful to bill for such amount as is shown to be the average monthly  
371 amount of water or sewer service used for the preceding six months or preceding three monthly  
372 billing periods, if available for a longer period if deemed proper, or for the percentage of this  
373 consumption shown by the test of the meter.

374 **Section 66-54. Responsibility of owner for charges.**

375 Where any premises, whether supplied by single or multiple service, is rented to one or more  
376 tenants, service charges shall be charged to and paid by the owner of the premises, who alone  
377 shall be deemed the agent for the entire premises regardless of whether a tenant of a premises  
378 establishes a water or sewer service account.

382 **Sec. 66-55. Responsibility of transferring new owner; new service for delinquent user.**

385 When the owner of a premises using water is about to move or transfer ownership of such  
386 premises, he shall give the public utilities director at least three days' notice thereof that the  
387 water shall be stopped, or he will be chargeable for any water that may pass through the meter  
388 before it was cut off.

389

390 **Sec. 66-56. Collecting utility accounts.**

391 (a) All utility accounts shall be due and payable to the treasurer when the consumer receives  
392 the utility bill. The treasurer of the county shall receive monies from charges for service, and  
393 shall handle all deposits or advance payments for utility service, refunds to depositors of  
394 advance payments for utility service, refunds to depositors of advance payments or other  
395 refunds on account errors.

396 (b) Any bills rendered for less than a full billing period shall have any minimum monthly charge  
397 prorated according to days of use. Credit balances on final bills of less than said minimum  
398 amount shall not be refunded unless requested by the user.

399 (c) Charges shall begin as required by contract or when the appropriate connection fees are  
400 paid.

401 (d) Rates for service provided to contract users shall be established by contract with users.

402 (e) The volume charge on multimeter installations shall be applied to the sum of the volumes.

403 (f) The county shall apply utility payments first to the amount of any unpaid interest and security  
404 deposits, then to wastewater charges starting with the oldest charge and then to water charges,  
405 starting the with oldest charge.

406 (g) Consumers shall pay all collection costs that are incurred by the county to collect delinquent  
407 accounts, including reasonable attorneys' fees and administrative fee of 10% of the outstanding  
408 sum.

409

410 **Sec. 66-57. Late payment of bills; penalty and interest charges.**

411 The county shall apply a late charge of ten percent of the amount of the monthly utility fees shall  
412 be imposed, for monthly utility fees which are unpaid ten days after the due date. Additionally,  
413 interest shall accrue at the rate of ten percent per annum on delinquent amounts greater than  
414 60 days. For purposes of this section, a bill is paid when payment is received by the treasurer.

415

416 **Sec. 66-58. Termination of service for nonpayment of utility charges; security  
417 deposits.**

418 (a) If the bill for any utility charge remains delinquent for 15 days and the director has sent  
419 written notice to the consumer that utility service will be disconnected, the director shall  
420 disconnect utility service.

421 (b) Customers paying delinquent bills shall pay the following charges in addition to the full  
422 payment of the delinquent bill:

423 (1) \$10.00 when payment is made after a courtesy notification tag has been delivered;

424 (2) \$30.00 when payment is made after the consumer's service has been disconnected.

425 (c) Persons applying for new utility will be required to make a deposit of \$100.00 or such  
426 deposit as the director may deem necessary in consideration of anticipated consumption for one  
427 billing period, to be held by the county as surety, without interest, so long as the service is  
428 continued. Applicants may be granted one week for the posting of the deposit if the application  
429 is made other than in person. When service is discontinued, the deposit shall be applied to the  
430 final bill, and if the deposit exceeds the amount owed, the excess will be refunded.

431

432 **Sec. 66-59. Exception from disconnection in case of contagious or infectious  
433 diseases.**

434 Notwithstanding any of the provisions of this chapter, water shall not be stopped or shut off from  
435 any lot or premises on which there is a contagious or infectious disease which, in the opinion of  
436 the director of health, is of such character that the risk of communicating the disease to others  
437 would be increased by stopping or shutting off such water; and in any case, the water shall not  
438 be stopped or shut off until the owner or occupant of such premises shall have continued in  
439 default in the payment of his water bill for a period of 30 days after the termination of such case  
440 of contagious or infectious disease.

441  
442 **Sec. 66-60. Charges for utility service a lien on real estate served.**

443 (a) Except as otherwise provided by state law, unpaid fees or assessments for utility service or  
444 connection to the utility system shall be a lien against the real estate that received the utility  
445 service or connection.

446 (b) The public utilities director may periodically certify unpaid charges including penalties and  
447 interest to the clerk of the circuit court, who shall docket the charges as a lien against the  
448 property that received the utility service in the appropriate judgment lien book.

449  
450 **Reserved 66-61 through 66-69**  
451

452 **ARTICLE III. USE OF SYSTEM**

453  
454 **Sec. 66-70. Rainwater and stormwater, sump pump, connections.**

455 Rainwater, stormwater, subsurface drainage and sump pump connections handling such  
456 waters shall not be made with the county sewer system.

457  
458 **Sec. 66-71. Use of sewer system.**

459 It shall be unlawful to throw, place or deposit or cause or permit to be thrown, placed or  
460 deposited in any vessel or receptacle connected with the sewer system any of the substances  
461 or materials identified in section 66-106 or any hair, ashes, diaper, rubberized material, rags,  
462 sticks, cinders or any other matter or thing except human excrement, urine, the necessary toilet  
463 paper, liquid slops and drainage of like character.

464  
465 **Sec. 66-72. Interceptors or Grease traps; Inspections.**

466 (a) Any restaurants, hotel kitchens, bars, cafeteria, establishment serving food, food  
467 processing or business operations that are connected to the county sewer system shall be  
468 required to install an interceptor or separator in compliance with the applicable plumbing code  
469 and state law and regulation unless provided a written exception by the public utilities director.

470 (b) In addition to other provisions in this chapter, businesses identified in subsection (a)  
471 shall maintain evidentiary records evidencing maintenance, inspections and pumping as  
472 necessary of such facilities and shall make such records available to the public utilities director  
473 upon request.

474  
475 **Sec. 66-73. Costs of damage.**

476 If the drainage or discharge from any establishment causes a deposit, obstruction or  
477 damage to the county sewer system or to the treatment works or treatment facility accessed by  
478 the county, the public utilities director shall cause the deposit or obstruction to be promptly  
479 removed or cause the damage to be promptly repaired. The cost for such work, including  
480 materials, labor and supervision, shall be borne by the person causing such deposit, obstruction  
481 or damage.

482

483 **Sec. 66-74. Irrigation; Watering.**

484 The county water system may not be used for agricultural or commercial irrigation, except as  
485 may be approved in writing by the public utilities director.

486  
487 **Sec. 66-75. Liability of county for system failure; authority to shut off for repairs**  
488 **or additions.**

489 No person shall be entitled to damages or to have any portion of a payment refunded for any  
490 stoppage of supply of water, sewer backup occasioned by choking or accident to either the  
491 service pipe or meter or for the stoppage of service, system failure or for stoppage for the  
492 purpose of additions or repairs; and the public utilities director shall have the right to shut off the  
493 water to make repairs, additions to pipes and meters, or other public purpose.

494  
495 **Reserved 66-76 through 66-79.**

496  
497 **ARTICLE IV. WATER SHORTAGE**

498  
499 **Sec. 66-80. Authority of county administrator to make emergency declaration.**

500 The county administrator is hereby authorized to declare emergencies in any or all areas  
501 supplied by the county affecting the use of water during any period in which there is a water  
502 shortage.

503  
504 **Sec. 66-81. Use of water.**

505 It shall be unlawful for any person whose water supply is furnished from a county-owned or  
506 operated water system during any declared emergency to irrigate, water or sprinkle lawns or  
507 gardens or to use water for any purposes not reasonably essential to health and used within the  
508 home or business between the hours of 7:00 a.m. and 10:00 p.m. each day or such other period  
509 of time as is deemed necessary by the county administrator for which an emergency has been  
510 declared pursuant to this article.

511  
512 **Sec. 66-82. Notice of declaration.**

513 In declaring an emergency pursuant to this article, the county administrator shall immediately  
514 post a written notice of emergency at the front door of the courthouse and at three prominent  
515 places in the affected areas in which such emergency is declared; in addition thereto, he shall  
516 run an item in a newspaper of general circulation in the area in which such emergency has been  
517 declared.

518  
519 **Reserved 66-83 through 66-89.**

520  
521 **ARTICLE V. CONNECTIONS**

522  
523 **Sec. 66-90. Connection permit.**

524 There shall be two classes of permits for connections to the county sewer system:

- 525 *Class I --Residential*  
526 *Class II --Industrial/Commercial*

527  
528 **Sec. 66-91. Application for utility service.**

529 (a) When a consumer applies for water or sewer service and pays the connection fee for that  
530 service if service does not yet exist, the public utilities director shall, in the case of water service,  
531 install a water meter at the point where the consumer connects to the water system at the  
532 property line of the applicant or, in the case of wastewater service, shall allow the consumer to

533 connect to the sewer system. It shall be unlawful to make any such connection until a required  
534 permit has been secured from the public utilities director.

535 (b) Where service previously exists, application must be made at least three days prior to  
536 occupancy. In the event the occupant has failed to make application, he shall be secondarily  
537 liable for all water consumed from the previous regular reading, and the supply of water shall be  
538 shut off until such time as proper application is made.

539

540 **Sec. 66-92. Location of meter; beginning of Charges.**

541 Meters, when located on premises and not in the street easements or alleys, shall in all cases  
542 be set in places accessible to the agents of the public utilities director. All meters shall be the  
543 property of the county. The applicant shall be responsible for all charges after the meter has  
544 been set. The location of the meter, if on the premises, is to be approved by the public utilities  
545 director. Should the meter be changed at the request of the owner from one location to another,  
546 the whole cost of such change shall be paid by the owner. It shall be the responsibility of the  
547 owner of the premises to keep the meter box free from debris or any obstacle or animal which  
548 will hinder the reading of the meter. Connections to the system shall be 16 inches from the  
549 meter box which shall be the point after which the owner shall be responsible for breakage,  
550 maintenance and otherwise.

551

552 **Sec. 66-93. Property owners to pay expense of laying and connecting;  
553 maintenance.**

554 Sewer and water lines, pumps and related equipment located within a property owner's property  
555 for connections with the system shall be laid by the property owner at his expense. The  
556 construction and installation of any such lines shall be inspected and approved by the county  
557 prior to connection with the county system. The property owner shall be responsible for  
558 maintaining all lines, pumps and related equipment laid within his property and 16 inches after  
559 the meter.

560

561 **Sec. 66-94. Connection costs.**

562 The costs and expenses incidental to the building utilities installation and connection to the  
563 county utility system shall be borne by the owner. The owner shall indemnify the county from  
564 any loss or damage that may directly or indirectly be occasioned by connection to the county  
565 utility system.

566

567 **Sec. 66-95. Mandatory Water and Sewer Connections; exceptions.**

568 (a) Except as otherwise provided in this article, the owner of a house, mobile or  
569 manufactured home, residence, building, structure or property used for human occupancy,  
570 employment, recreation or other purposes situated within the county and abutting on or adjacent  
571 to any right-of-way or easement in which there is located or to be located the county utility  
572 system, is hereby required to connect to and utilize such facilities in accordance with the  
573 provisions of this chapter and as follows:

574 (1) Connection to the sewer system is required if the principal structure to be served  
575 is within (i) 300 feet of its property line adjacent to or abutting the utility system  
576 right of way, or (ii) 300 feet from the actual utility system right of way where the  
577 right of way traverses the property on which the structure is sited. Except as  
578 otherwise provided in this chapter, it shall be unlawful to construct or maintain  
579 any privy, privy vault, septic tank, cesspool or other facility intended or used for  
580 the disposal of wastewater for structures within such distances.

581 (2) Connection to the water system is required if the principal structure to be served  
582 is within (i) 600 feet of its property line adjacent to or abutting the utility system

583 right of way, or (ii) 600 feet from the actual utility system right of way in cases  
584 where the right of way traverses the property which the structure is sited. Except  
585 as otherwise provided in this chapter, it shall be unlawful to construct or maintain  
586 any well, water system, waterworks or other potable supply of water to structures  
587 within such distances.

588 (3) For measurement purposes, distance to the utility system(s) shall be measured  
589 from the nearest point of the structure, including any porch, appurtenance or any  
590 other structure physically attached to the principal structure.

591 (b) A property to which subsection (a) applies and which at the time county water or  
592 sewer is made available thereto is served by, respectively:

593 (1) a domestic supply or source of potable water adequate to prevent the contraction  
594 or spread of infectious, contagious, and dangerous diseases; or

595 (2) a septic tank system meeting local or state requirements;

596 shall not be required to discontinue use of such private utilities provided that (i) a property  
597 owner shall connect to the water system and (ii) that such private utilities are operated and  
598 maintained at all times in strict conformance with the requirements of said governmental  
599 agencies having jurisdiction over such systems and are not repaired, altered, enlarged or  
600 replaced without the appropriate approval(s) and permit(s) of such government agencies. If any  
601 or either such private utility shall fail to properly operate or requires major repairs, the owner  
602 shall, upon notification from the county health official or otherwise, discontinue use of such  
603 private utility and begin using the respective county water or sewer system.

604

#### 605 **Sec. 66-96. Connection notice, timing and fees.**

606 (a) The county shall provide notice that utility service exists, including notice of  
607 mandatory connection requirements, to all potential customers of the system by certified mail,  
608 return receipt requested to all owners of record and by regular mail to all addressable  
609 structures.

610 (b) The owner of any premises required to connect to the county utility system pursuant  
611 to section 66-95, shall connect. Connection fees shall be paid within ninety (90) days of notice  
612 that service exists. Except as provided in subsection (d), the applicable connection fees for  
613 property owners to which section 66-95(b) applies shall be the initial connection fee as set forth  
614 in section 66-50.

615 (c) Any owner required to connect to the water system under section 66-95(b) and who  
616 chooses not to use the water system shall pay a nonuser service charge, including any related  
617 charges or fees, pursuant to section 66-51 of this chapter.

618 (d) Any owner failing to connect to the facilities of the county as required by section 66-  
619 95 shall be guilty of a class 1 misdemeanor and, upon conviction thereof, shall be fined not  
620 more than fifty dollars (\$50.00). Each day that such failure continues shall constitute a separate  
621 offense. In addition, such owner at the time of connection shall be required to pay the regular,  
622 full connection fee as set forth in section 66-50 of this chapter.

623 (e) The owner of any structure having service available from extensions of the county  
624 utility system may connect to the county utility system, provided that the owner elects to connect  
625 and pays the initial connection fee within ninety (90) days of notification that service exists. After  
626 such ninety-day period, the owner shall be required to pay the regular, full connection fee and  
627 related charges set forth in this chapter at the time of connection.

628 (f) The connection requirements, fees, and times set forth in this article shall not apply  
629 where the public utilities director has determined that water or sewer service is not available to  
630 the property due to the nature of, or limitations on, the facilities of the county.

631

#### 632 **Section 66-97 Abandoned Private Well and Septic Facilities.**

633 (a) After the connection to the county sewer system is made, an owner will be required  
634 to abandon all septic tanks, cesspools and similar private sewage disposal facilities. After the  
635 connection to the county water system is made, an owner will be required to abandon all private  
636 wells or other water supplies for use as a drinking water source.

637 (b) The owner of any permanently abandoned well shall immediately fill or seal the well  
638 with cement or bentonite clay or other equally suitable material under supervision of the public  
639 utilities director. Permanent abandonment occurs when a well is not used for a period of two (2)  
640 years, when structures on any lot are connected to the county water system and the well is not  
641 specified as compliant with this chapter under the direction of the public utilities director, or  
642 when the construction of the well no longer meets criteria in this chapter. "Immediately" as used  
643 herein means within 48 hours of drilling completion if the well to be abandoned yields insufficient  
644 water, or within 30 days if a previously constructed and operational well is abandoned. Any  
645 person who abandons or intends to abandon a well shall make a written report to the county  
646 including the location of the well.

647 (c) Any abandoned private sewerage facilities shall be required to be filled with suitable  
648 material if it has been determined by the public utilities director or other appropriate local or  
649 state agency that a potential public health hazard exists or that the existence of the private  
650 sewerage system in an unfilled condition may cause an unsafe condition.

651  
652 **Sec. 66-98. Separate connections required.**

653 (a) A separate and independent building sewer shall be provided for every house,  
654 residence, or building; except where one building stands at the rear of another on an interior lot  
655 and no private sewer is available or can be constructed to the rear building through an adjoining  
656 alley, courtyard, easement or driveway, the building sewer serving the front building may be  
657 extended to the rear building and the whole considered as one building sewer. The county  
658 assumes no obligation or responsibility for damage caused by or resulting from any single  
659 building sewer which serves two or more buildings as permitted herein.

660 (b) Mobile home parks requiring a sewer connection shall have either a separate sewer  
661 connection serving each mobile home; or, with the approval of the public utilities director, the  
662 mobile home park may be served by one or more connections into the county sewer system  
663 provided the owner or operator of the park supplies a connection to each mobile home. The  
664 county assumes no obligation or responsibility for damage caused by or resulting from any  
665 single or private sewer which serves two or more buildings as permitted herein, unless such  
666 private system is accepted into the utility system by the public utilities director.

667  
668 **Sec. 66-99. Building sewer design.**

669 The size, slope, alignment, construction materials, equipment, trench excavation and backfill  
670 methods, pipe placement, installation methods, jointing and testing methods used in the  
671 construction and installation of a building sewer shall conform to the Uniform Statewide Building  
672 Code or other applicable requirements of any local, state or federal law, rule or regulation. In the  
673 absence of code provisions or in amplification thereof, the materials and procedures set forth in  
674 appropriate specifications of the ASTM and the Water Environment Federation (or any  
675 successor organization) shall apply. Prior to any construction or installation of a building sewer,  
676 the owner shall submit all operating specifications to the public utilities director for approval.  
677 Connections to the county sewer system shall be made by a qualified and registered plumber.  
678 The plumber making a sewer connection shall notify the public utilities director when the  
679 connection is complete, and he shall leave the ditch uncovered until an inspection has been  
680 made and the connection approved. It shall be the responsibility of the plumber to provide

681 barriers by day and flares or other appropriate lighting by night around the ditch. The plumber  
682 and property owner shall indemnify, hold harmless and relieve the county of any responsibility  
683 and liability for damages or personal injury caused by work on the connection in question.

684

685 **Sec. 66-100. Building sewer elevation for connection to gravity system.**

686 Whenever practicable, any building sewer connecting to the gravity portion of the county sewer  
687 system shall be brought to a building at an elevation below the basement floor. In buildings in  
688 which any building drain is too low to permit gravity flow to the county sewer system,  
689 wastewater carried by such building drain shall be lifted by an approved means and discharged  
690 to a building sewer draining to the county sewer system.

691

692 **Sec. 66-101. Surface runoff and other unpolluted drainage; combined sewers**  
693 **prohibited.**

694 No person may discharge into the county sewer system unpolluted stormwater, surface water,  
695 groundwater, roof runoff, sump pump water, subsurface drainage or other unpolluted drainage.  
696 Such stormwater, surface water, groundwater, roof runoff, subsurface drainage or other  
697 unpolluted drainage shall be discharged to such sewers as are specifically designated as storm  
698 sewers or to a natural outlet approved by the county. No person shall discharge or cause to be  
699 discharged any stormwater, surface water, roof runoff or subsurface drainage into the county  
700 sewer system. Cooling waters or unpolluted process waters are excluded from discharge to the  
701 county sewer system except as approved by the public utilities director. The construction of  
702 combined sewers is expressly prohibited within the county.

703

704 **Sec. 66-102. Conformance to applicable codes.**

705 The connection of a building sewer to the county sewer system shall conform to the  
706 requirements of the building and plumbing codes or other applicable requirements of the county  
707 or the procedures set forth in appropriate specifications of the Commonwealth of Virginia  
708 Sewerage Regulations, Virginia Uniform Statewide Building Code and American Society for  
709 Testing and Materials. The connections shall be made gastight and watertight and verified by  
710 proper testing. Any deviation from the prescribed procedures and materials must be approved in  
711 writing by the public utilities director before installation.

712

713 **Sec. 66-103. Connection inspection.**

714 The applicant for a building, sewer or other drainage connection permit shall notify the public  
715 utilities director when such connection is ready for inspection prior to its connection to the  
716 county sewer system. Such connection inspections and testing as deemed necessary by the  
717 public utilities director shall be made by the county's authorized agent or designee.

718

719 **Sec. 66-104. Excavation guards and property restoration.**

720 Excavations for building sewer installation shall be adequately guarded with barricades and  
721 lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public  
722 property disturbed in the course of the work shall be restored in a manner satisfactory to the  
723 county.

724

725 **Sec. 66-105. Industrial user, general prohibition upon.**

726 An industrial user shall not introduce any pollutants into the county sewer system which will  
727 pass through or interfere with the operation or performance of the treatment facilities accessed  
728 by the county.

729

730 **Sec. 66-106. Restricted discharges.**

731 (a) No person shall discharge or cause to be discharged into the county sewer system or  
732 treatment facilities any trucked or hauled pollutants except as approved in writing by the public  
733 utilities director. No person shall discharge or cause to be discharged into the county sewer  
734 system or treatment facilities accessed by the county any substances, materials, waters or  
735 wastes in such quantities or concentrations which do or are likely to:  
736 (1) Create a fire or explosion hazard to the POTW, including but not limited to gasoline,  
737 benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas, waste stream with  
738 a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using test  
739 methods specified in 40 CFR 261.21;  
740 (2) Cause corrosive damage or hazard to structures, equipment or personnel of the  
741 wastewater facilities, but in no case discharges having a pH lower than 5.0 or greater than 11.0;  
742 (3) Cause obstruction to the flow in sewers or other interference with the operation of treatment  
743 facilities accessed by the county due to accumulation of solid or viscous materials;  
744 (4) Constitute a rate of discharge or substantial deviation from normal rates of discharge (slug  
745 discharge), sufficient to cause interference in the operation and performance of the treatment  
746 facilities;  
747 (5) Contain heat in amounts which are likely to accelerate the biodegradation of wastes,  
748 causing the formation of excessive amounts of hydrogen sulfide in the treatment works or inhibit  
749 biological activity in the treatment facilities; but in no case shall the discharge of heat cause the  
750 temperature in the wastewater sewer to exceed 65 degrees Celsius (150 degrees Fahrenheit)  
751 or the temperature of the effluent to the treatment facilities to exceed 40 degrees Celsius (104  
752 degrees Fahrenheit) unless the facilities can accommodate such heat and the county has  
753 obtained proper approval from the treatment facility being accessed by the county;  
754 (6) Contain more than 100 milligrams per liter of nonbiodegradable oils of mineral or petroleum  
755 origin;  
756 (7) Contain floatable oils, fat or grease;  
757 (8) Contain toxic gases, vapors or fumes, malodorous gas or substance in quantities that may  
758 cause a public nuisance or cause acute human health or safety problems;  
759 (9) Contain radioactive wastes in harmful quantities as defined by applicable state and federal  
760 regulations;  
761 (10) Contain any garbage that has not been properly shredded;  
762 (11) Contain any odor- or color-producing substances exceeding concentration limits which  
763 may be established by the public utilities director for purposes of meeting any applicable  
764 VPDES permit; or  
765 (12) Contain petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in  
766 amounts that will cause interference or pass through;  
767 (b) If in establishing discharge restrictions, discharge limits, or pretreatment standards  
768 pursuant to this article, the public utilities director establishes concentration limits to be met by a  
769 user, the public utilities director in lieu of concentration limits may establish mass limits of  
770 comparable stringency for an individual user at the request of such user. Upon approval by the  
771 state and the permit holder of the treatment works accessed by the county, such limits shall  
772 become pretreatment standards.

773

774 **Sec. 66-107. Categorical pretreatment standards.**

775 (a) No person shall discharge or cause to be discharged to the county sewer system or any  
776 treatment works, wastewaters containing substances subject to an applicable categorical  
777 pretreatment standard promulgated by the EPA in excess of the quantity prescribed in such  
778 applicable pretreatment standards except as otherwise provided in this chapter. Compliance  
779 with such applicable pretreatment standards shall be within three years of the date the standard  
780 is promulgated; however, compliance with a categorical pretreatment standard for new sources

781 shall be required upon commencement of discharge into the county sewer system or to the  
782 treatment works accessed by the county.

783 (b) The public utilities director shall notify any industrial user affected by the provisions of this  
784 section and establish an enforceable compliance schedule for each.

785 (c) No person shall discharge trucked hazardous wastes into the county sewer system.  
786

787 **Sec. 66-108. Special agreements.**

788 Nothing in this article shall be construed as preventing any agreement or arrangement between  
789 the county and any user of the county sewer system and treatment facility accessed by the  
790 county whereby wastewater of unusual strength or character (only in terms of BOD and/or  
791 suspended solids) is accepted into the system and specially treated subject to additional  
792 payments or user charges as may be applicable.  
793

794 **Sec. 66-109. Water and energy conservation.**

795 The conservation of water and energy shall be encouraged by the public utilities director. In  
796 establishing discharge restrictions upon users, the public utilities director may take into account  
797 already implemented or planned conservation steps revealed by the user. Upon request of the  
798 public utilities director, each user will provide the public utilities director with pertinent  
799 information showing that the quantities of substances or pollutants have not been and will not be  
800 increased as a result of the conservation steps. Upon such a showing to the satisfaction of the  
801 public utilities director, he shall make adjustments to discharge restrictions, which have been  
802 based on concentrations to reflect the conservation steps.  
803

804 **Sec. 66-110. Excessive discharge.**

805 No user shall ever increase the use of process water or in any way attempt to dilute a discharge  
806 as a partial or complete substitute for adequate treatment to achieve compliance with the  
807 limitations contained in the National Categorical Pretreatment Standards, or in any other  
808 pollutant-specific limitation developed by the county, state or federal government.  
809

810 **Sec. 66-111. Accidental discharges (slug load).**

811 (a) Each user shall provide protection from accidental discharge of prohibited materials or  
812 other substances regulated by this chapter. Facilities to prevent accidental discharge of  
813 prohibited materials shall be provided and maintained at the owner's or user's own cost and  
814 expense. Detailed plans showing facilities and operating procedures to provide this protection  
815 shall be submitted to the public utilities director for review and shall be approved by the public  
816 utilities director before construction of the facility. No user who commences contribution to the  
817 county sewer system or the POTW after the effective date of the ordinance from which this  
818 section derives shall be permitted to introduce pollutants into the system until accidental  
819 discharge procedures have been approved by the county. Review and approval of such plans  
820 and operating procedures shall not relieve the user from the responsibility to modify the user's  
821 facility as necessary to meet the requirements of this chapter. In the case of an accidental  
822 discharge, it is the responsibility of the user to immediately telephone and notify the POTW  
823 accessed by the county and the public utilities director of the incident. The notification shall  
824 include location of discharge, type of waste, concentration and volume, and corrective actions.

825 (b) Within five days following an accidental discharge, the user shall submit to the POTW  
826 accessed by the county and the public utilities director a detailed written report describing the  
827 cause of the discharge and the measures to be taken by the user to prevent similar future  
828 occurrences. Such notification shall not relieve the user of any expense, loss, damage or other  
829 liability which may be incurred as a result of damage to the county sewer system or to the  
830 treatment works and treatment facility accessed by the county, fish kills, or any other damage to

831 person or property; nor shall such notification relieve the user of any fines, civil penalties or  
832 other liability which may be imposed by this chapter or other applicable law.  
833 (c) A notice shall be permanently posted on the user's bulletin board or other prominent place  
834 advising employees whom to call in event of a dangerous discharge. Employers shall ensure  
835 that all employees who may cause or suffer such a dangerous discharge to occur are advised of  
836 the emergency notification procedure.

837  
838 **Reserved 66-112 through 66-119.**

839  
840 **ARTICLE VI. INDUSTRIAL DISCHARGERS**

841  
842 **Sec. 66-120. Information requirements.**

843 (a) All industrial dischargers shall file with the county wastewater information deemed  
844 necessary by the public utilities director for determination of compliance with this article, any  
845 applicable VPDES permit conditions, and state and federal law. Such information shall be  
846 provided by completion of a questionnaire designed and supplied by the public utilities director  
847 and by supplements to the questionnaire as may be necessary. Information requested in the  
848 questionnaire and designated by the discharger as confidential is subject to the conditions of  
849 confidentiality as set out in subsection (c).

850 (b) Where a person owns, operates or occupies properties designated as an industrial  
851 discharger at more than one location, separate information submittals shall be made for each  
852 location as may be required by the public utilities director.

853 (c) Information and data on an industrial user obtained from reports, questionnaires, permit  
854 applications, permits and monitoring programs and from inspections shall be available to the  
855 public or other governmental agency without restriction unless the user specifically requests and  
856 is able to demonstrate to the satisfaction of the county that the release of such information  
857 would divulge information, processes or methods of production entitled to protection as trade  
858 secrets of the user. When requested by the person furnishing a report, the portions of a report  
859 which might disclose trade secrets or secret processes shall not be made available for  
860 inspection by the public but shall be made available upon written request to governmental  
861 agencies for uses related to this article, the Virginia Pollutant Discharge Elimination System  
862 (VPDES) permit, state disposal system permit and/or the pretreatment programs; however, such  
863 portions of a report shall be available for use by the state or any state agency in judicial review  
864 or enforcement proceedings involving the person furnishing the report. Wastewater constituents  
865 and characteristics will not be recognized as confidential information.

866  
867 **Sec. 66-121. User permits.**

868 (a) All significant industrial users proposing to connect to or to contribute to the county sewer  
869 system shall obtain a user permit before connecting to or contributing to the county sewer  
870 system.

871 (b) Significant industrial users required to obtain a permit shall complete and file with the  
872 county an application in the form prescribed by the county and accompanied by a fee of \$50.00.  
873 In support of the application, the user shall submit, in units and terms appropriate for evaluation,  
874 the following information:

875 (1) Name, address and location if different from address.

876 (2) SIC number according to the Standards Industrial Classification Manual, Bureau of the  
877 Budget, 1987, as amended, supplemented or similar replacement authority.

878 (3) Wastewater constituents and characteristics as determined by a reliable analytical  
879 laboratory, sampling and analysis shall be performed in accordance with procedures  
880 established by the EPA.

881 (4) Time and duration of contribution.  
882 (5) Average daily and peak wastewater flow rates, including daily, monthly and seasonal  
883 variations if any.  
884 (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers,  
885 sewer connections and appurtenances by size, location and elevation.  
886 (7) Description of activities, facilities and plant processes on the premises, including all  
887 materials which are or could be discharged.  
888 (8) The nature and concentration of any pollutants in the discharge. A statement identifying the  
889 applicable pretreatment standards and requirements, and a statement regarding whether or not  
890 the pretreatment standards are being met on a consistent basis and if not, whether additional  
891 O&M and/or additional pretreatment is required for the user to meet applicable pretreatment  
892 standards.  
893 (9) If additional pretreatment and/or O&M will be required to meet the pretreatment standards,  
894 the shortest schedule by which the user will provide such additional pretreatment. The  
895 completion date in this schedule shall not be later than the compliance date established for the  
896 applicable pretreatment standard. The following conditions shall apply to this schedule:  
897 a. The schedule shall contain increments of progress in the form of dates for the  
898 commencement and completion of major events leading to the construction and operation of  
899 additional pretreatment required for the user to meet the applicable pretreatment standards  
900 (e.g., hiring an engineer, completing final plans, executing a contract for major components,  
901 commencing construction, completing construction, etc.).  
902 b. No increment referred to in subsection (b)(9)(a) shall exceed nine months.  
903 c. Not later than 14 days following each date in the schedule and the final date for compliance,  
904 the user shall submit a progress report to the public utilities director including, as a minimum,  
905 whether or not it complied with the increment of progress to be met on such date and, if not, the  
906 date on which it expects to comply with this increment of progress; the reason for delay; and the  
907 steps being taken by the user to return the construction to the schedule established. In no event  
908 shall more than one year elapse between such progress reports to the public utilities director.  
909 (10) Each product produced by type, amount, process or processes, and rate of production.  
910 (11) Type and amount of raw materials processed (average and maximum per day).  
911 (12) Number and type of employees and hours of operation of the plant and proposed or actual  
912 hours of operation of the pretreatment system.  
913 (13) Any other information as may be deemed by the county to be necessary to evaluate the  
914 user permit application.  
915 The county will evaluate the data furnished by the user and may require additional information.  
916 After evaluation and acceptance of the data furnished, the county may issue a user permit  
917 subject to terms and conditions provided in this section and as may be required by the permit  
918 holder of the treatment works accessed by the county or such other regulatory bodies.  
919 (c) Within nine months of the promulgation of a National Categorical Pretreatment Standard,  
920 the user permit of users subject to such standards shall be revised to require compliance with  
921 such standard if they are more restrictive than the local limits developed by the county or the  
922 POTW within the time frame prescribed by such standard. Where a user subject to a National  
923 Categorical Pretreatment Standard has not previously submitted an application for a user permit  
924 as required by subsection (b), the user shall apply for a user permit within 180 days after the  
925 promulgation of the applicable National Categorical Pretreatment Standard.  
926 (d) User permits shall be expressly subject to all provisions of this article and all other  
927 applicable ordinances, regulations, user charges and fees established by the county. Permits  
928 may contain the following:  
929 (1) The unit charge or schedule of user charges and fees for the wastewater to be discharged  
930 to a community sewer;

- 931 (2) Limits on the average and maximum wastewater constituents and characteristics (permits  
932 must contain this item);
- 933 (3) Limits on average and maximum rate and time of discharge or requirements for flow  
934 regulations and equalization (permits must contain this item);
- 935 (4) Requirements for installation and maintenance of inspection and sampling facilities;
- 936 (5) Specifications for monitoring programs, which may include sampling locations, frequency of  
937 sampling, number, types and standards for tests and reporting schedule;
- 938 (6) Compliance schedules;
- 939 (7) Requirements for submission of technical reports or discharge reports (permits must  
940 contain this item);
- 941 (8) Requirements for maintaining and retaining plant records relating to wastewater discharge  
942 as specified by the county and affording the county access (permits must contain this item);
- 943 (9) Requirements for notification of the county for any new introduction of wastewater  
944 constituents or any substantial change in volume or character of the wastewater constituents  
945 being introduced into the county sewer system;
- 946 (10) Requirements for immediate notification of slug discharges (permits must contain this  
947 item);
- 948 (11) Other conditions as deemed appropriate by the public utilities director to ensure  
949 compliance with this chapter; and
- 950 (12) A statement of applicable remedies.
- 951 (e) User permits shall be issued for a specified time period, not to exceed five years. A permit  
952 may be issued for a period less than a year or may be stated to expire on a specific date. The  
953 user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's  
954 existing permit. The terms and conditions of the permit may be subject to modification by the  
955 county during the term of the permit as limitations or requirements as identified in this section  
956 are modified or other just cause exists. The user shall be informed of any proposed changes in  
957 his permit at least 30 days prior to the effective date of change. Any changes or new conditions  
958 in the permit shall include a reasonable time schedule for compliance.
- 959 (f) User permits are issued to a specific user for a specific operation. A user permit shall not be  
960 reassigned or transferred or sold by the user to a new owner, new user, different premises or a  
961 new or changed operation without the approval of the county. Any succeeding owner or user  
962 shall also comply with the terms and conditions of the existing permit in the interim prior to the  
963 issuance of the respective new permit.
- 964 (g) Industrial users of the county sewer system shall be assessed industrial cost recovery  
965 charges as required by law.

966

967 **Sec. 66-122. Reporting requirements for permittee.**

- 968 (a) Within 90 days following the date for final compliance with applicable pretreatment  
969 standards or in the case of a new source, following commencement of the introduction of  
970 wastewater into the wastewater treatment facilities, any user subject to pretreatment standards  
971 and requirements shall submit to the public utilities director a report indicating the nature and  
972 concentration of all pollutants in the discharge from the regulated process which are limited by  
973 pretreatment standards and requirements and the average and maximum daily flow for these  
974 process units in the user facility which are limited by such pretreatment standards or  
975 requirements. The report shall state whether the applicable pretreatment standards or  
976 requirements are being met on a consistent basis and, if not, what additional O&M and/or  
977 pretreatment is necessary to bring the user into compliance with the applicable pretreatment  
978 standards or requirements. In addition, the report shall contain the results of any sampling and  
979 analysis of the discharge as specified in subsection (c). This statement shall be signed by an  
980 authorized representative of the user and certified to by a qualified professional.

981 (b) Any user subject to a pretreatment standard after the compliance date of such pretreatment  
982 standard or, in the case of a new source after commencement of the discharge into the  
983 treatment works, shall submit to the public utilities director during the months of June and  
984 December, unless required more frequently in the pretreatment standard or by the public utilities  
985 director, a report indicating the nature and concentration of pollutants in the effluent which are  
986 limited by such pretreatment standards. In addition, this report shall include a record of all daily  
987 flows which during the reporting period exceeded the average daily flow reported. At the  
988 discretion of the public utilities director and in consideration of such factors as local high or low  
989 flow rates, holidays, budget cycles, etc., the public utilities director may agree to alter the  
990 months during which the reports are to be submitted.

991 (c) The public utilities director may impose mass limitations on users which are using dilution to  
992 meet applicable pretreatment standards or requirements, or in other cases where the imposition  
993 of mass limitations are appropriate. In such cases, the report required by subsection (a) shall  
994 indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user.  
995 These reports shall contain the results of sampling and analysis of the discharge, including the  
996 flow and the nature and concentration, production and mass where requested by the public  
997 utilities director, of pollutants which are limited by the applicable pretreatment standards. The  
998 frequency of monitoring shall be prescribed in the permit. All analysis shall be performed in  
999 accordance with procedures established by the EPA and with any test procedures approved by  
1000 the EPA. Sampling shall be performed in accordance with the techniques approved by the EPA.  
1001 All samples analyzed by this method shall be reported. Where the EPA does not establish a  
1002 sampling or analytical technique for the pollutant in question, sampling and analytical  
1003 procedures approved by the public utilities director may be used.

1004

1005 **Sec. 66-123. Provision for monitoring.**

1006 (a) When required by the public utilities director, the owner of any property serviced by a  
1007 building sewer carrying class II wastewater discharges shall provide suitable access and such  
1008 necessary meters and other devices in the building sewer to facilitate observation, sampling and  
1009 measurement of the wastewater. Such access shall be in a readily and safely accessible  
1010 location and shall be provided in accordance with plans approved by the public utilities director.  
1011 The access shall be provided and maintained at the owner's expense so as to be safe and  
1012 accessible at reasonable times.

1013 (b) The public utilities director shall consider such factors as the volume and strength of  
1014 discharge, rate of discharge, quantities of toxic materials in the discharge, treatment facility  
1015 removal capabilities and cost effectiveness in determining whether or not access and equipment  
1016 for monitoring class II wastewater discharges shall be required.

1017 (c) Where the public utilities director determines access and equipment for monitoring or  
1018 measuring class II wastewater discharges is not practicable, reliable or cost effective, the public  
1019 utilities director may specify alternative methods of determining the characteristics of the  
1020 wastewater discharges which will, in the public utilities director's judgment, provide a reasonably  
1021 reliable measurement of such characteristics.

1022 (d) Measurements, tests and analyses of the characteristics of wastewater required by this  
1023 article shall conform to the applicable EPA regulations and be performed by a qualified  
1024 laboratory. When such analyses are required of a discharger, the discharger may, in lieu of  
1025 using the county's approved laboratory, make arrangement with any qualified laboratory,  
1026 including that of the discharger, to perform such analyses.

1027 (e) Fees for any given measurement, test or analysis of wastewater required by this article and  
1028 performed by the county shall be the same for all classes of dischargers, regardless of the  
1029 quantity or quality of the discharge, and shall reflect only direct cost. Costs of analyses  
1030 performed by an independent laboratory at the option of the discharger shall be borne directly  
1031 by the discharger.

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**Reserved 66-124 through 66-129.**

**ARTICLE VII. PRETREATMENT**

**Sec. 66-130. Wastewaters with special characteristics.**

(a) While the public utilities director shall initially rely upon the National Categorical Pretreatment Standards to protect wastewater facilities or receiving waters, if any wastewater which contains substances or possesses characteristics shown to have deleterious effects upon the county sewer system or treatment works or treatment facilities accessed by the county, processes, equipment or receiving waters, or constitutes a public nuisance or hazard, is discharged or is proposed for discharge to the wastewater sewers, the public utilities director may require any or all of the following:

(1) Pretreatment by the user or discharger to a condition acceptable for discharge to the treatment works;

(2) Control over the quantities and rates of discharge;

(3) The development of compliance schedules to meet any applicable pretreatment requirements;

(4) The submission of reports necessary to ensure compliance with applicable pretreatment requirements;

(5) The carrying out of all inspection, surveillance and monitoring necessary to determine compliance with applicable pretreatment requirements;

(6) The obtaining of remedies for noncompliance by any user, which may include but shall not be limited to injunctive relief, a civil suit for damages, or appropriate criminal penalties; or

(7) The rejection of the wastewater if evidence discloses that discharge will create unreasonable hazards or have unreasonable deleterious effects on the county sewer system or the POTW.

(b) When considering the alternatives listed in subsection (a), the public utilities director shall ensure that conditions of the POTW's permit are met. The public utilities director shall also take into consideration cost effectiveness, the economic impact of the alternatives, and the willful noncompliance of the discharger. If the public utilities director allows the pretreatment or equalization of wastewater flows, the installation of necessary facilities shall be subject to the review by the county. The public utilities director shall review and recommend any appropriate changes to the program within 30 days of submittal.

(c) Where pretreatment or flow-equalizing facilities are provided or required for any wastewater, they shall be maintained continuously in satisfactory and effective operation at the expense of the owner.

**Sec. 66-131. Compliance with pretreatment requirements.**

Persons required to pretreat wastewater in accordance with section 66-130 shall provide a statement, reviewed by an authorized representative of the user and certified by such representative, indicating whether applicable pretreatment requirements are being met on a consistent basis and, if not, describe the additional operation and maintenance or additional pretreatment required for the user to meet the pretreatment requirements. If additional pretreatment or operation and maintenance will be required to meet the pretreatment requirements, the user shall submit a plan (including schedules) to the public utilities director as described in section 66-121(b)(9). The plan (including schedules) shall be consistent with applicable conditions of the POTW's permit or other local, state or federal laws, rules and regulations.

1082 **Sec. 66-132. Monitoring requirements.**  
1083 Discharges of wastewater to the county sewer system from the facilities of any user shall be  
1084 monitored in accordance with provisions of the user's permit.  
1085

1086 **Sec. 66-133. Effect of federal law.**

1087 If the federal government promulgates a regulation for a given new or existing user in a  
1088 specific industrial subcategory that establishes pretreatment standards or establishes that such  
1089 user is exempt from pretreatment standards, such federal regulations shall immediately  
1090 supersede section 66-130 if they are more stringent.  
1091

1092 **Sec. 66-134. Certification.**

1093 All reports and permit applications must be signed by the industrial user's authorized  
1094 representative and certified by a qualified professional, indicating whether pretreatment  
1095 standards are being met on a consistent basis and if not, whether additional O&M and/or  
1096 additional pretreatment is required to meet the pretreatment standards and requirements.  
1097

1098 **Reserved 66-135 through 66-139.**

1099  
1100 **ARTICLE VIII. ENFORCEMENT**

1101  
1102 **Sec. 66-140. Penalties.**

1103 (a) A person who violates the provisions of this chapter shall be guilty of a class 1  
1104 misdemeanor. In the event of a violation, the county shall also have, in addition to the penalties  
1105 and rights enumerated in this chapter, the right to terminate water and/or sewer connections.

1106 (b) In addition to proceeding under authority of subsection (a), a person shall be fined the sum  
1107 of not exceeding \$100.00, and each week of failure or refusal to comply with the provisions of  
1108 this chapter shall be deemed a separate offense; and he shall be fined an additional \$150.00 for  
1109 each week of failure or refusal to comply with the provisions of this chapter. Further, the county  
1110 is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of  
1111 state statutes or other ordinances of the county for violating any of the provisions of this chapter,  
1112 including, without limitation, injunctive relief.

1113 (c) The county shall be authorized to implement such other program and enforcement  
1114 mechanisms as are consistent with regulatory guidelines and are deemed appropriate.  
1115

1116 **Sec. 66-141. Falsifying Records; Erroneous Requests for Repair or Service**

1117 Any person who knowingly makes any false statements, representations or certifications in any  
1118 application, record, report, plan or other document filed or required to be maintained pursuant to  
1119 this chapter, or a wastewater permit, or who falsifies, tampers with or knowingly renders  
1120 inaccurate any monitoring device or method required under this chapter shall be guilty of a class  
1121 1 misdemeanor.  
1122

1123 **Sec. 66-142. Legal action.**

1124 If any person discharges sewage, industrial wastes or other wastes into the county sewer  
1125 system contrary to the provisions of this chapter, applicable federal or state pretreatment  
1126 requirements or any order of the county, or if any industrial user refuses access to the public  
1127 utilities director for purposes of inspection, the county attorney may commence an action for  
1128 appropriate legal and/or equitable relief in the circuit court.  
1129

1130 **Sec. 66-143. Notification of violation.**

1131 Whenever the county finds that any user has violated or is violating this chapter, user permit, or  
1132 any prohibition, limitation or requirements contained in this chapter, the county may serve upon  
1133 such person a written notice stating the nature of the violation. Within 30 days of the date of the  
1134 notice, a plan for the satisfactory correction of the violation shall be submitted to the public  
1135 utilities director by the user. Failure to submit a satisfactory plan may result in the suspension of  
1136 water and/or sewer service. When in the discretion of the public utilities director the public  
1137 health, safety and welfare is endangered by a violation of this chapter, the notification provided  
1138 in this section may be waived and the immediate suspension of service shall be allowed.  
1139

1140 **Sec. 66-144. Emergency wastewater treatment suspension.**

1141 (a) The county may suspend the transport of wastewater and/or a user permit when such  
1142 suspension is necessary, in the opinion of the public utilities director, in order to stop an actual  
1143 or threatened discharge which presents or may present an imminent or substantial  
1144 endangerment to the health or welfare of any person or to the environment, causes interference  
1145 to the county sewer system or to the treatment works or treatment facilities accessed by the  
1146 county, or causes the county to violate any condition of any VPDES permit or any agreement  
1147 with the Town of Farmville.

1148 (b) Any person notified of a suspension of wastewater transport and/or the user permit shall  
1149 immediately stop or eliminate the contribution. In the event of a failure of the person to comply  
1150 voluntarily with the suspension order, the county shall take such steps as deemed necessary,  
1151 including immediate severance of the sewer connection and/or the seeking of legal and  
1152 equitable relief in the circuit court, to prevent or minimize damage to the county sewer system or  
1153 to the wastewater treatment facilities accessed by the county or endangerment to any  
1154 individuals. The county shall reinstate the user permit and/or the wastewater treatment service  
1155 upon proof of the elimination of the non-complying discharge and reasonable assurances of  
1156 future compliance with this chapter. A detailed written statement submitted by the user  
1157 describing the causes of the harmful contribution and the measures taken to prevent any future  
1158 occurrence shall be submitted to the public utilities director and to the holder of the permit  
1159 operating the treatment facility accessed by the county within 15 days of the date of occurrence.  
1160

1161 **Sec. 66-145. Revocation of permit.**

1162 Any user, who violates the following conditions of this section, or applicable state and federal  
1163 laws, rules and regulations, shall be subject to having his permit revoked in accordance with the  
1164 procedures of this chapter for:

- 1165 (1) Failure of a user to factually report the wastewater constituents and characteristics of his  
1166 discharge;  
1167 (2) Failure of the user to report significant changes in operation or wastewater constituents and  
1168 characteristics;  
1169 (3) Refusal of reasonable access to the user's premises for the purpose of inspection or  
1170 monitoring; or  
1171 (4) Violation of conditions in the permit or of this chapter.  
1172

1173 **Reserved 66-146 through 66-149.**  
1174

1175 **ARTICLE IX. EXPANSION OF UTILITY SYSTEM; SUBDIVISIONS\***  
1176

1177 **Sec. 66-150. Extensions to existing lines; Oversized mains credit policy.**

1178 (a) No extensions shall be made to existing service lines without written approval of the public  
1179 utilities director. Applicants for approval shall submit at least four copies of plans and  
1180 specifications prepared by a registered engineer licensed to do business in the state. In the

1181 case of subdivisions, site plans and plans of development only, a licensed land surveyor may  
1182 prepare plats, plans and profiles to the extent and in the manner permitted by the Code of  
1183 Virginia, § 54.1-408. No construction shall commence until approval has been obtained from the  
1184 public utilities director, including his written approval on any final plat.

1185 (b) For any extension on the owner's property or in a public right-of-way or easement adjacent  
1186 to the owner's property, credits will be allowed against connection fees for line sizes in excess  
1187 of six inches in diameter required by the county. Notwithstanding the foregoing, no oversizing  
1188 credit will be due where a main size greater than six inches in diameter is required to  
1189 adequately serve the owner. Credits will be computed based on annual contract prices for  
1190 miscellaneous utility construction in effect for the year in which construction was completed. If  
1191 annual contract prices are not available, credits will be computed based on unit prices  
1192 assimilated from recent bids taken by the county or bids taken by the owner, whichever is less.  
1193 Credits shall not be paid in cash, but only be used as a credit toward other connection fees due  
1194 from the owner in the future. Credits may be used only within the ten years following completion  
1195 of the lines being oversized and their acceptance by the county.

1196

1197 **Sec. 66-151. Application for and required approval of subdivision.**

1198 All future subdivision developments of any type or kind within the county shall conform  
1199 with and will be subject to the provisions of this chapter and shall require approval from the  
1200 county.

1201

1202 **Sec. 66-152. Construction of facilities generally.**

1203 (a) Where a major subdivision is to be within 1,000 feet of a county-owned water or sewer  
1204 system, the developer shall construct all necessary pumping stations, gravity sewer lines, water  
1205 mains, accessory equipment and storage to connect to the facilities of the county water or  
1206 sewer system. The cost of any such work shall be the responsibility of the developer. Following  
1207 completion of construction of the water or sewer extensions, they shall be dedicated to and shall  
1208 become the property of the county; and the developer shall provide all necessary easements for  
1209 access to and maintenance of the new facilities.

1210 (b) Where the construction of connecting pumping stations, force mains, lateral lines or water  
1211 mains and systems for major subdivisions more than 1,000 feet from facilities of the county is  
1212 deemed to be feasible by the developer, he may construct such facilities at his expense.  
1213 Following completion of construction of the water or sewer extensions, they shall be dedicated  
1214 to and shall become the property of the county. The developer shall provide all necessary  
1215 easements for access to and maintenance of the new facilities.

1216

1217 **Sec. 66-153. Standards for construction of facilities.**

1218 (a) All proposed water and sewer facilities of any new major subdivision shall be designed by a  
1219 civil engineer registered in the state; and his plans and specifications shall be approved by the  
1220 state department of health, bureau of sanitary engineering, the county erosion and sediment  
1221 control officer, and the public utilities director prior to construction.

1222 (b) Materials, workmanship and procedures used in the construction of water and sewer  
1223 facilities within or to a major subdivision shall be in conformance with the standards and  
1224 specifications established or approved by the county.

1225

1226 **Sec. 66-154. Inspections during and upon completion of construction of facilities.**

1227 During progress of construction of water or sewer facilities within or to a major  
1228 subdivision, the county shall have access to the construction sites for the purpose of  
1229 establishing that the projects are being constructed in accord with the requirements of the  
1230 county. Upon completion of the facilities and written request of the developer to the public

1231 utilities director, the county will make a final comprehensive inspection of the completed project  
1232 and shall be satisfied as to conformance to the county's requirements before accepting the  
1233 facilities.

1234

1235 **Sec. 66-155. As-built plans for facilities.**

1236 (a) After completion of construction of the water and sewer facilities from approved plans on  
1237 any project subject to the provisions of this chapter, the developer or owner responsible for the  
1238 construction shall prepare as-built plans, based on accurate, field-obtained information, to show  
1239 actual conditions of the finished construction. The as-built plans shall show revisions and  
1240 permanently indicated changes of the original tracings or master sheets from which were made  
1241 the plans or specifications approved by the county. A reproducible copy and one set of the as-  
1242 built plans shall be furnished to the public utilities director.

1243 (b) The as-built plans required by this section shall show but may not be limited to the  
1244 following:

1245 (1) Water line construction as follows:

1246 a. Scale accuracy location in the plan of the line and all installed fittings, such as elbows, tees,  
1247 crosses and reducers, and all cradle encasement or special construction.

1248 b. Exact measurement to show positive location of all house services, valve boxes, blind or  
1249 blank-flanged fittings and plugged terminals of lines. The measurements for these positive  
1250 locations shall be taken from at least two reasonably adjacent and available, fixed and  
1251 permanent objects, such as fire hydrants, centers of sanitary or storm sewer manhole casting  
1252 covers, corners or lines extended, of buildings, power poles and the like.

1253 (2) Sewer line construction as follows:

1254 a. Scale accuracy location of manhole invert and top casting elevations and numerical  
1255 notations of the exact elevations of same, as determined by a filed survey after construction.  
1256 Elevations shall be in datum of the county.

1257 b. Scale accuracy indication of lengths and grades of lines between manholes and numerical  
1258 notation of the exact lengths and grades, as determined after construction.

1259 c. Scale accuracy location of concrete cradle encasement or special construction.

1260 d. Location of house services by measurement from the manhole immediately downgrade.

1261 (3) Sanitary sewage treatment plants and pumping stations, water pumping stations and all  
1262 other comparable construction and building structures.

1263 (4) An accurate indication of all approved deviations from or changes in location or type of  
1264 equipment installed and material used.

1265 (c) Accurate listings of the name of the manufacturer of all operating equipment installed,  
1266 together with model or style numbers, ratings, capacities and other pertinent information shall  
1267 be provided as part of the as-built plans required by this section.

1268

1269 **Sec. 66-156. Connection fee.**

1270 Any new subdivision customer shall pay the county a connection fee as prescribed in this  
1271 chapter if water and sewer connections are made to the facilities of the county; except that, by  
1272 the approval of the public utilities director, credit for facility fees may be given to the developer  
1273 of the subdivision according to policies approved by the board of supervisors.

1274

1275 **Sec. 66-157. Subdivisions not feasibly located for connection to county facilities.**

1276 Where a subdivision is not feasibly located for connection to facilities of the county, as  
1277 determined by the public utilities director, the provisions of this chapter shall still apply, as will  
1278 the approval of design plans and specifications by the state department of health for all water  
1279 and sewer works which will serve the subdivision.

1280

1281 **Reserved Sections 66-158 through 66-169.**

1282

1283 **ARTICLE X. PRIVATE DISPOSAL OF WASTE and PRIVATE WATER SUPPLY**

1284

1285 **Sec. 66-170. Sanitary device required.**

1286 Every house, mobile home or trailer used as a permanent residence, building, or other structure  
1287 used for human habitation, occupancy, employment or other place where human beings  
1288 congregate in the county which are required to connect to the county utility system pursuant to  
1289 section 66-95 shall be provided with a properly operating septic or sewer system which shall so  
1290 dispose of human excreta as not to be accessible to flies or to animals and shall not endanger a  
1291 source of drinking water and which shall be built and maintained in accordance with  
1292 specifications of the state health department.

1293

1294 **Sec. 66-171. Means of disposal shall not be harmful.**

1295 No person shall construct, maintain or permit on any premises owned by him an arrangement  
1296 for the disposal of human excrement which may possibly endanger any source of drinking water  
1297 or which allows flies to have access to the human excrement.

1298

1299 **Sec. 66-172. Deposits shall not be harmful.**

1300 It shall be unlawful for any person to place, deposit or permit to be deposited upon the surface  
1301 of the ground or in any place in any condition that may be considered as an unsanitary or  
1302 unhygienic manner on public or private property within the county any human or animal  
1303 excrement, garbage or other objectionable waste where it may endanger a source of drinking  
1304 water or be accessible to flies or animals.

1305

1306 **Sec. 66-173. Owner shall provide means of disposal.**

1307 All homes or other places having flush toilets, discharging on the ground or into small streams  
1308 or ditches, shall be provided by the owner with a septic tank or other approved sewage disposal.

1309

1310 **Sec. 66-174. Permit required.**

1311 It shall be unlawful for any person to install or have installed or repair a septic tank in the county  
1312 without first obtaining a permit from the county health official. The county health official shall  
1313 decide the capacity and design and approve the location of the septic tank.

1314

1315 **Sec. 66-175. Laying private sewers.**

1316 The written consent of the public utilities director shall be secured before laying any private  
1317 sewer line or facility within the county. The provisions of the Uniform Statewide Building Code  
1318 and any other applicable provisions of local, state or federal laws, rules and regulations shall be  
1319 complied with in laying such private sewers.

1320

1321 **Sec. 66-176. Private well standards.**

1322 A private well as a potable water source shall conform to the following criteria:

1323 (1) All bored wells shall have a minimum output of one gallon per minute. All bored wells shall  
1324 contain storage capacity within the well for 24 hours of service.

1325 (2) All drilled wells shall have a minimum output of one gallon per minute and storage capacity  
1326 for 24 hours of service. Drilled wells yielding more than three gallons per minute output shall not  
1327 require such storage.

1328 (3) Storage capacity requirements shall be based on health department regulations on  
1329 estimated water usage.

- 1330 (4) All wells, drilled or bored, shall be grouted to a minimum depth of 20 feet.  
1331 (5) All wells, drilled or bored, shall be grouted by the well contractor within two business days  
1332 of the completion of the well. The well borehole and casing shall be protected from surface  
1333 water intrusion, foreign materials and animals until the grout is installed.

1334

1335 **Sec. 66-177. Inspection.**

1336 (a) Septic tanks shall be inspected by a representative of the health department and approved  
1337 before they are permitted to be covered or used.

1338 (b) When private sewers are laid and the connections made, the person authorized to make the  
1339 connections and to lay the sewers shall notify the public utilities director, who shall inspect such  
1340 work promptly as his duties permit; and if the material used and the work done meets the  
1341 requirements set forth, the public utilities director shall approve the work.

1342 (c) A water sample for a private well as a potable water source shall be obtained by an  
1343 individual approved by the health department and tested with negative results for coliform  
1344 bacteria and compliance with all health department regulations for potable water prior to the  
1345 issuance of a county certificate of occupancy.

1346

1347 **Reserved 66-178 through 66-189.**

1348

1349 **ARTICLE XI. CENTRAL SEWERAGE SYSTEMS AND PRIVATE WATER SUPPLIES**

1350

1351 **Sec. 66-190. Applicability.**

1352 This article shall apply to any person who proposes to establish a central sewerage system or  
1353 central water supply.

1354 **State law reference--**Va. Code §§ 15.2-2126, 15.2-2131, 15.2-2149, 15.2-2154.

1355

1356 **Sec. 66-191. Notice of proposal to establish system or supply.**

1357 Each person who proposes to establish or extend a central sewerage system or a central water  
1358 supply shall notify the board of supervisors of the proposal at least sixty (60) days prior to  
1359 commencing construction thereof and with copy to the public utilities director. The notice shall  
1360 be filed with the clerk of the board of supervisors. In addition to the foregoing information, the  
1361 notice shall include the following:

- 1362 1. The location of the proposed central sewerage system or central water supply;  
1363 2. The number of connections proposed to be served by the central sewerage system or central  
1364 water supply;  
1365 3. A statement describing the type of the proposed central sewerage system or central water  
1366 supply and explaining the reasons the system or supply is needed; and  
1367 4. Three (3) copies of the preliminary plans for the central sewerage system or central water  
1368 supply.

1369

1370 **Sec. 66-192. Transmittal of notice and plans for review.**

1371 The public utilities director shall review the notice and information to determine its compliance  
1372 with this chapter and the policies of the public utilities director. The public utilities director shall  
1373 coordinate his review with the health department and, when applicable, other applicable  
1374 governing bodies.

1375

1376 **Sec. 66-193. Hearing on proposal.**

1377 Upon receipt of a notice, the clerk of the board of supervisors shall place the proposal on the  
1378 agenda of the board of supervisors for consideration of the proposal at a regular meeting of the  
1379 board. The hearing shall not be conducted until the public utilities director has completed a

1380 review of the plans submitted by the applicant. Prior to the meeting at which the proposal will be  
1381 considered, the public utilities director shall submit a written recommendation to the board. The  
1382 applicant shall appear in person when the proposal is considered by the board.  
1383

1384 **Sec. 66-194. Action on proposal.**

1385 (a) After consideration of a proposal, the board of supervisors may approve or disapprove the  
1386 proposal. If the board approves the proposal, it shall specify the number of connections that  
1387 may be made to the central sewerage system or central water supply.

1388 (b) The board may condition its approval of a central sewerage system upon the approval of the  
1389 applicant's final plans by the public utilities director, the health department, and the Virginia  
1390 Department of Environmental Quality, and either approval by or proof of notification to, any  
1391 other applicable state or federal department or agency.

1392 (c) The board may condition its approval of a central water supply upon the approval of the  
1393 applicant's final plans by the public utilities director, the health department, the Virginia  
1394 Department of Environmental Quality, and either approval by or proof of notification to, any  
1395 other applicable state or federal department or agency.  
1396

1397 **Sec. 66-195 Failure of board to timely disapprove proposal.**

1398 If the board of supervisors fails to disapprove a proposal within seventy (70) days from the date  
1399 on which the hearing was held as provided in section 66-193, the applicant may proceed with  
1400 the construction and installation of the proposed central sewerage system or central water  
1401 supply, provided that he first gives written notice to the chairman of the board of supervisors by  
1402 registered mail of his intention to proceed.  
1403

1404 **Sec. 66-196 Inspection of central water supplies.**

1405 The public utilities director shall inspect each central water supply, having three (3) to fifteen  
1406 (15) connections or serving up to twenty-five (25) people to ensure that it is constructed as  
1407 approved. The applicant shall provide all information, including pump test data, required by the  
1408 public utilities director to accomplish the inspection. Upon completion of the inspection, the  
1409 public utilities director shall report to the board of supervisors his findings.  
1410

1411 **Sec. 16-197 Violation and penalty.**

1412 Any person who fails or refuses to notify the board of supervisors as provided herein and  
1413 thereafter constructs and installs a central sewerage system or central water supply, or having  
1414 given such notice and the proposal having been disapproved, proceeds to construct or install  
1415 any such system, shall be guilty of a misdemeanor and punished as provided in this chapter.  
1416

1417 **Reserved Sections 66-198 through 66-199.**

1418  
1419 **ARTICLE XII. COMMUNITY WATERWORKS CROSS CONNECTION CONTROLS**  
1420

1421 **Sec. 66-200. Purpose of this article.**

1422 The purposes of this article are to abate or control actual or potential cross connections, to  
1423 protect the public health, and to protect service lines (containment). This article provides for  
1424 establishment and enforcement of a cross connection control program (program) of cross  
1425 connection control and backflow prevention in accordance with and as approved the  
1426 Commonwealth of Virginia, Department of Health, and any such similar replacement state  
1427 authority.  
1428

1429 **Sec. 66-201. Definitions.**

1430 For the purposes of this article, the following words and phrases shall have the following  
1431 meanings and definitions:

1432 *Air gap* means the unobstructed vertical distance through the free atmosphere between the  
1433 lowest point of the potable water outlet and the rim of the receiving vessel.

1434 *Auxiliary water system* means any water system on or available to the premises other than the  
1435 waterworks. These auxiliary waters may include water from a source such as wells, lakes, or  
1436 streams; or process fluids; or used water. They may be polluted or contaminated or  
1437 objectionable, or constitute an unapproved water source or system over which the county does  
1438 not have control.

1439 *Backflow* means the flow of water or other liquids, mixtures, or substances into a waterworks  
1440 from any source or sources other than its intended source.

1441 *Backflow prevention by separation ("separation")* means preventing backflow by either an air  
1442 gap or by physical disconnection of a waterworks by the removal or absence of pipes, fittings, or  
1443 fixtures that connect a waterworks directly or indirectly to a non-potable system or one of  
1444 questionable quality.

1445 *Backflow prevention device ("device")* means any approved device intended to prevent  
1446 backflow into a waterworks.

1447 *Backpressure backflow* means backflow caused by pressure in the downstream piping which is  
1448 superior to the supply pressure at the point of consideration.

1449 *Backsiphonage backflow* means backflow caused by a reduction in pressure which causes a  
1450 partial vacuum creating a siphon effect.

1451 *Consumer* means person who drinks water from a waterworks.

1452 *Consumer's water supply system* means the water service pipe, water distributing pipes, and  
1453 necessary connecting pipes, fittings, control valves, and all appurtenances in or adjacent to the  
1454 building or premises and not under the control of the county.

1455 *Containment* means the prevention of backflow into a waterworks from a consumer's water  
1456 supply system by a backflow prevention device or by backflow prevention by separation at the  
1457 service connection.

1458 *Contaminant* means any objectionable or hazardous physical, chemical, biological, or  
1459 radiological substance or matter in water.

1460 *Cross connection* means any connection or structural arrangement, direct or indirect, to the  
1461 waterworks whereby backflow can occur.

1462 *Degree of hazard* means either a high, moderate or low hazard based on the nature of the  
1463 contaminant; the potential health hazard; the probability of the backflow occurrence; the method  
1464 of backflow either by backpressure or by backsiphonage; and the potential effect on waterworks  
1465 structures, equipment, and appurtenances used in the storage, collection, purification,  
1466 treatment, and distribution of pure water.

1467 *Distribution main* means a water main whose primary purpose is to provide treated water to  
1468 service connections.

1469 *Domestic use or usage* means normal family or household use, including drinking, laundering,  
1470 bathing, cooking, heating, cleaning and flushing toilets.

1471 *Double gate-double check valve assembly* means an approved assembly designed to prevent  
1472 backsiphonage or backpressure backflow and used for moderate or low hazard situations,  
1473 composed of two independently operating, spring-loaded check valves, tightly closing shutoff  
1474 valves located at each end of the assembly and fitted with properly located test cocks.

1475 *Entry point* means the place where water from the source is delivered to the distribution  
1476 system.

1477 *Health hazard* means any condition, device, or practice in a waterworks or its operation that  
1478 creates, or may create, a danger to the health and well being of the water consumer.

1479 *Isolation* means the prevention of backflow into a waterworks from a consumer's water supply  
1480 system by a backflow prevention device or by backflow prevention by separation at the sources

1481 of potential contamination in the consumer's water supply system. This is also called point-of-  
1482 use isolation. Isolation of an area or zone within a consumer's water supply system confines the  
1483 potential source of contamination to a specific area or zone. This is called area or zone  
1484 isolation.

1485 *Maximum contaminant level* means the maximum permissible level of a contaminant in water  
1486 which is delivered to the free flowing outlet of the ultimate user of a waterworks, except in the  
1487 cases of turbidity and VOCs, where the maximum permissible level is measured at each entry  
1488 point to the distribution system. Contaminants added to the water under circumstances  
1489 controlled by the user, except those resulting from corrosion of piping and plumbing caused by  
1490 water quality, are excluded from this definition. Maximum contaminant levels may be either  
1491 "primary" (PMCL) meaning based on health considerations or "secondary" (SMCL) meaning  
1492 based on aesthetic considerations.

1493 *Plumbing fixture* means a receptacle or device which is either permanently or temporarily  
1494 connected to the water distribution system of the premises, and demands a supply of water  
1495 therefrom; or discharges used water, waste materials, or sewage either directly or indirectly to  
1496 the drainage system of the premises; or requires both a water supply connection and a  
1497 discharge to the drainage system of the premises.

1498 *Pollution* means the presence of any foreign substance (chemical, physical, radiological, or  
1499 biological) in water that tends to degrade its quality so as to constitute an unnecessary risk or  
1500 impair the usefulness of the water.

1501 *Pollution hazard* means a condition through which an aesthetically objectionable or degrading  
1502 material may enter the waterworks or a consumer's water system.

1503 *Premises* means a piece of real estate; house or building and its land.

1504 *Pressure vacuum breaker* means an approved assembly designed to prevent backsiphonage  
1505 backflow and used for high, moderate, or low hazard situations, composed of one or two  
1506 independently operating, spring-loaded check valves; an independently operating, spring-loaded  
1507 air-inlet valve; tightly closing shutoff valves located at each end of the assembly; and fitted with  
1508 properly located test cocks.

1509 *Process fluids* means any kind of fluid or solution which may be chemically, biologically, or  
1510 otherwise contaminated or polluted which would constitute a health, pollutional, or system  
1511 hazard if introduced into the waterworks. This includes, but is not limited to:

- 1512 (1) Polluted or contaminated water,
- 1513 (2) Process waters,
- 1514 (3) Used water, originating from the waterworks, which may have deteriorated in sanitary  
1515 quality.
- 1516 (4) Cooling waters,
- 1517 (5) Contaminated natural waters taken from wells, lakes, streams, or irrigation systems,
- 1518 (6) Chemicals in solution or suspension, and
- 1519 (7) Oils, gases, acids, alkalis, and other liquid and gaseous fluid used in industrial or other  
1520 processes, or for fire fighting purposes.

1521 *Pure water or potable water* means water fit for human consumption and domestic use which  
1522 is sanitary and normally free of minerals, organic substances, and toxic agents in excess of  
1523 reasonable amounts for domestic usage in the area served and normally adequate in quantity  
1524 and quality for the minimum health requirements of the persons served.

1525 *Reduced pressure principle backflow prevention device (RPZ device)* means an approved  
1526 assembly designed to prevent backsiphonage or backpressure backflow used for high,  
1527 moderate, or low hazard situations, composed of a minimum of two independently operating,  
1528 spring-loaded check valves together with an independent, hydraulically operating pressure  
1529 differential relief valve located between the two check valves. During normal flow and at the  
1530 cessation of normal flow, the pressure between these two checks shall be less than the supply

1531 pressure. The unit must include tightly closing shutoff valves located at each end of the  
1532 assembly and be fitted with properly located test cocks.

1533 *System hazard* means a condition posing a threat of or actually causing damage to the physical  
1534 properties of the water system or a consumer's water supply system.

1535 *Used water* means water supplied from the water system to a consumer's water supply system  
1536 after it has passed through the service connection.

1537

1538 **Sec. 66-202. Administration of this article.**

1539 It shall be the duty of the public utilities director to cause assessment to be made of properties  
1540 served by the water system where cross connection with the waterworks is deemed possible.

1541 The method of determining potential cross connection with the waterworks and the  
1542 administrative procedures shall be established and carried out by the public utilities director.

1543

1544 **Sec. 66-203. Enforcement of this article.**

1545 (a) Upon request, the owner or occupants of property served shall furnish to the public utilities  
1546 director pertinent information regarding the consumer's water supply system or systems on such  
1547 property for the purpose of assessing the consumer's water supply system for cross connection  
1548 hazards and determining the degree of hazard, if any. The refusal of such information, when  
1549 requested, shall be deemed evidence of the presence of a high degree of hazard cross  
1550 connection.

1551 (b) Notice of violation. Any consumer's water supply system owner found to be in violation of  
1552 any provision of this article shall be served a written notice of violation sent certified mail to the  
1553 consumer's water supply system owner's last known address, stating the nature of the violation,  
1554 corrective action required and providing a reasonable time limit, not to exceed 30 days, from the  
1555 date of receipt of the notice of violation, to bring the consumer's water supply system into  
1556 compliance with this article or have water service terminated.

1557 (c) Penalties. Any owner of properties served by a connection to the waterworks found guilty of  
1558 violating any of the provisions of this article, or any written order of the county administrator or  
1559 the public utilities director, in pursuance thereof, shall be guilty of a Class 1 misdemeanor for  
1560 each violation in addition to other penalties set forth in this chapter. Each day upon which a  
1561 violation of the provisions of this act shall occur shall be deemed a separate and additional  
1562 violation for the purposes of this article.

1563

1564 **Sec. 66-204. Responsibilities of the county and the public utilities director.**

1565 (a) The public utilities director shall, to the extent of the county's jurisdiction, provide continuing  
1566 identification and evaluation of all cross connection hazards. This shall include an assessment  
1567 of each consumer's water supply system for cross connections to be followed by the  
1568 requirement, if necessary, of installation of a backflow prevention device or separation.  
1569 Assessments shall be performed at least annually.

1570 (b) In the event of the backflow of pollution or contamination into the waterworks, the public  
1571 utilities director shall promptly take or cause corrective action to confine and eliminate the  
1572 pollution or contamination. The public utilities director shall report to the appropriate  
1573 Commonwealth of Virginia, Department of Health, in the most expeditious manner (usually by  
1574 telephone) when backflow occurs and shall submit a written report by the 10th day of the month  
1575 following the month during which backflow occurred addressing the incident, its causes, effects,  
1576 and preventative or control measures required or taken.

1577 (c) The public utilities director shall take positive action to ensure that the waterworks is  
1578 adequately protected from cross connections and backflow at all times. If a cross connection  
1579 exists or backflow occurs into a consumer's water supply system or into the waterworks or if the

1580 consumer's water supply system causes the pressure in the waterworks to be lowered below 20  
1581 psi gauge, the public utilities director may discontinue the water service to the consumer and  
1582 water service shall not be restored until the deficiencies have been corrected or eliminated to  
1583 the satisfaction of the public utilities director.

1584 (d) In order to protect the occupants of a premises, the public utilities director should inform the  
1585 consumer's water supply system owner(s) of any cross connection beyond the service  
1586 connection that should be abated or controlled by application of an appropriate backflow  
1587 prevention device or separation. Appropriate backflow prevention device or separation should  
1588 be applied at each point-of-use and/or applied to the consumer's water supply system, isolating  
1589 an area which may be a health or polluttional hazard to the consumer's water supply system or  
1590 to the waterworks.

1591 (e) Records of backflow prevention devices, separations, and consumer's water supply  
1592 systems, including inspection records, records of backflow incidents, and records of device tests  
1593 shall be maintained by the public utilities director for ten years.

1594

1595 **Sec. 66-205. Responsibilities of the consumer's water supply system owner.**

1596 (a) The consumer's water supply system owner, at their own expense, shall install, operate,  
1597 test, and maintain required backflow prevention devices or backflow prevention by separations.

1598 (b) The consumer's water supply system owner shall provide copies of test results,  
1599 maintenance records and overhaul records to the public utilities director within 30 days of  
1600 completion of testing or work. Such testing or work shall have been performed by device testers  
1601 which have obtained a certificate of completion of a course recognized by the American Water  
1602 Works Association, the Virginia Department of Health or the Virginia Cross Connection Control  
1603 Association for cross connection control and backflow prevention inspection, maintenance and  
1604 testing or otherwise be certified by a Commonwealth of Virginia tradesman certification  
1605 program.

1606 (c) All new residential service connections shall be fitted with a residential dual check (ASSE  
1607 #1024).

1608 (d) All existing residential service connections shall be fitted with a residential dual check  
1609 (ASSE #1024) prior to connection to the county water system.

1610

1611 **Sec. 66-206. Preventative and control measures for containment.**

1612 (a) Service line protection. Backflow prevention device or separation shall be installed at the  
1613 service connection to a consumer's water supply system where, in the judgment of the public  
1614 utilities director a health or polluttional hazard to the consumer's water supply system or to the  
1615 waterworks exists or may exist unless such hazards are abated or controlled to the satisfaction  
1616 of the public utilities director.

1617 (b) Special conditions. The following circumstances shall be deemed "Special Conditions" for  
1618 the purposes of the enforcement of this article:

1619 (1) When, as a matter of practicality, the backflow prevention device or separation cannot be  
1620 installed at the service connection, the device or separation may be located downstream of the  
1621 service connection but prior to any unprotected takeoffs.

1622 (2) Where all actual or potential cross connections can be easily correctable at each point-of-  
1623 use and where the consumer's water supply system is not intricate or complex, point-of-use  
1624 isolation protection by application of an appropriate backflow prevention device or backflow  
1625 prevention by separation may be used at each point-of-use in lieu of installing a containment  
1626 device at the service connection.

1627 (c) A backflow prevention device or backflow prevention by separation shall be installed at  
1628 each service connection to a consumer's water supply system serving premises where the  
1629 following conditions exist:

- 1630 (1) Premises on which any substance is handled in such a manner as to create an actual or  
1631 potential hazard to a waterworks (this shall include premises having auxiliary water systems or  
1632 having sources or systems containing process fluids or waters originating from a waterworks  
1633 which are no longer under the control of the county).
- 1634 (2) Premises having internal cross connections that, in the judgment of the public utilities  
1635 director may not be easily correctable or intricate plumbing arrangements which make it  
1636 impracticable to determine whether or not cross connections exist.
- 1637 (3) Premises where, because of security requirements or other prohibitions or restrictions, it is  
1638 impossible or impractical to make an evaluation of all cross connection hazards.
- 1639 (4) Premises having a repeated history of cross connections being established or  
1640 reestablished.
- 1641 (5) Other premises specified by the public utilities director where cause can be shown that a  
1642 potential cross connection hazard not enumerated above exists.
- 1643 (d) Premises having booster pumps or fire pumps connected to the waterworks shall have the  
1644 pumps equipped with a pressure sensing device to shut off or regulate the flow from the booster  
1645 pump when the pressure in the waterworks drops to a minimum of 20 psi gauge at the service  
1646 connection.
- 1647 (e) An approved backflow prevention device or backflow prevention by separation shall be  
1648 installed at each service connection to a consumer's water supply system or installed under  
1649 special conditions, as set forth in this section, serving, but not necessarily limited to, the  
1650 following types of facilities:
- 1651 (1) Hospitals, mortuaries, clinics, veterinary establishments, nursing homes, dental offices and  
1652 medical buildings;
- 1653 (2) Laboratories;
- 1654 (3) Piers, docks, waterfront facilities;
- 1655 (4) Sewage treatment plants, sewage pumping stations, or storm water pumping stations;
- 1656 (5) Food and beverage processing plants;
- 1657 (6) Chemical plants, dyeing plants and pharmaceutical plants;
- 1658 (7) Metal plating industries;
- 1659 (8) Petroleum or natural gas processing or storage plants;
- 1660 (9) Radioactive materials processing plants or nuclear reactors;
- 1661 (10) Car washes and laundries;
- 1662 (11) Lawn sprinkler systems, irrigation systems;
- 1663 (12) Fire service systems;
- 1664 (13) Slaughter houses and poultry processing plants;
- 1665 (14) Farms where the water is used for other than household purposes;
- 1666 (15) Commercial greenhouses and nurseries;
- 1667 (16) Health clubs with swimming pools, therapeutic baths, hot tubs or saunas;
- 1668 (17) Paper and paper products plants and printing plants;
- 1669 (18) Pesticide or exterminating companies and their vehicles with storage or mixing tanks;
- 1670 (19) Schools or colleges with laboratory facilities;
- 1671 (20) High rise buildings (four or more stories);
- 1672 (21) Multiuse commercial, office, or warehouse facilities;
- 1673 (22) Others specified by the public utilities director when reasonable cause can be shown for a  
1674 potential backflow or cross connection hazard.
- 1675 (f) Where lawn sprinkler systems, irrigation systems or fire service systems are connected  
1676 directly to the waterworks with a separate service connection, a backflow prevention device or  
1677 backflow prevention by separation shall be installed at the service connection or installed under  
1678 special conditions, as set forth in this section.

1679

1680 **Sec. 66-207. Type of protection required.**

1681 The type of protection required shall depend on the degree of hazard which exists or may exist.  
1682 The degree of hazard, either high, moderate, or low, is based on the nature of the contaminant;  
1683 the potential health hazard; the probability of the backflow occurrence; the method of backflow  
1684 either by backpressure or by backsiphonage; and the potential effect on waterworks structures,  
1685 equipment, and appurtenances used in the storage, collection, purification, treatment, and  
1686 distribution of pure water.

1687 Table 1 shall be used as a guide to determine the degree of hazard for any situation.

1688 (1) An air gap or physical disconnection gives the highest degree of protection and shall be  
1689 used whenever practical to do so in high hazard situations subject to backpressure.

1690 (2) An air gap, physical disconnection and a reduced pressure principle backflow prevention  
1691 device will protect against backpressure when operating properly.

1692 (3) Pressure vacuum breakers will not protect against backpressure, but will protect against  
1693 backsiphonage when operating properly. Pressure vacuum breakers may be used in low,  
1694 moderate or high hazard situations subject to backsiphonage only.

1695 (4) A double gate--Double check valve assembly shall not be used in high hazard situations.

1696 (5) Barometric loops are not acceptable.

1697 (6) Interchangeable connections or change-over devices are not acceptable.

1698 TABLE 1. DETERMINATION OF DEGREE OF HAZARD

1699 Premises with the following conditions shall be rated at the corresponding degree of hazard.

1700 TABLE INSET:

1701

High Hazard

The contaminant is toxic, poisonous, noxious or unhealthy.

In the event of backflow of the contaminant, a health hazard would exist.

A high probability exists of a backflow occurrence either by backpressure or by backsiphonage.

The contaminant would disrupt the service of piped water for drinking or domestic use.

Examples--Sewage, used water, non potable water, auxiliary water systems and toxic or hazardous chemicals.

1702

Moderate Hazard

The contaminant would only degrade the quality of the water aesthetically or impair the usefulness of the water.

In the event of backflow of the contaminant, a health hazard would not exist.

A moderate probability exists of a backflow occurrence either by backpressure or by backsiphonage.

The contaminant would not seriously disrupt service of piped water for drinking or domestic use.

Examples--Food stuff, nontoxic chemicals and non-hazardous chemicals.

Low Hazard

The contaminant would only degrade the quality of the water aesthetically.

In the event of backflow of the contaminant, a health hazard would not exist.

A low probability exists of the occurrence of backflow.

Backflow would only occur by backsiphonage.

The contaminant would not disrupt service of piped water.

Examples--Food stuff, nontoxic chemicals and non-hazardous chemicals.

1703

1704

**Sec. 66-208. Backflow prevention devices and backflow prevention by separation for containment.**

1705

1706

(a) Backflow prevention devices for containment include the reduced pressure principle backflow prevention assembly, the double gate - double check valve assembly, and the pressure vacuum breaker assembly.

1707

1708

1709

(b) Backflow prevention by separation shall be an air gap or physical disconnection. The minimum air gap shall be twice the effective opening of a potable water outlet unless the outlet is a distance less than three times the effective opening away from a wall or similar vertical surface, in which case the minimum air gap shall be three times the effective opening of the outlet. In no case shall the minimum air gap be less than one inch.

1710

1711

1712

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1714

(c) Backflow prevention devices shall be of the approved type and shall comply with the most recent American Water Works Association Standards.

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(d) Backflow prevention devices shall be installed in a manner approved by the public utilities director.

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(e) Where applicable, point-of-use isolation devices or separations shall be as specified by the public utilities director where reasonable assurance can be shown that the device or separation will protect the waterworks. As a minimum, point-of-use devices should bear an appropriate American Society of Sanitary Engineering Standard Number.

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(f) Backflow prevention devices with openings, outlets, or vents that are designed to operate or open during backflow prevention shall not be installed in pits or areas subject to flooding.

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**Sec. 66-209. Maintenance and inspection requirements.**

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(a) It shall be the responsibility of the consumer's water supply system owner(s) to maintain all backflow prevention devices or separations installed in accordance with this article in good working order and to make no piping or other arrangements for the purpose of bypassing or defeating backflow prevention devices or separations.

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(b) Operational testing and inspection schedules shall be established by the public utilities director as outlined in the Cross-Connection Control Program for all backflow prevention devices and separations which are installed at the service connection or installed under special conditions. The interval between testing and inspection of each device shall be established in accordance with the age and condition of the device and the device manufacturer's recommendations. Backflow prevention device and separation inspection and testing intervals shall not exceed one year.

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(c) Backflow prevention device overhaul procedures and replacement parts shall be in accordance with the manufacturer's recommendations.

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(d) Backflow prevention device testing procedures shall be in accordance with the University of Southern California, Foundation for Cross-Connection Control and Hydraulic Research, Backflow Prevention Assembly Field Test Procedure and the manufacturer's instructions.

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