

MARSHALL COUNTY BOARD OF PUBLIC UTILITIES OF MARSHALL COUNTY, TENNESSEE RULES AND REGULATIONS

*Water will be furnished subject to the Rules and Regulations of the **Marshall County Board of Public Utilities of Marshall County, Tennessee**, which Rules and Regulations, as well as any Rules and Regulations hereinafter amended, modified, or promulgated, are made a part of every application, contract and agreement entered into between the property owner and or customer and the System.*

DEFINITIONS:

A. **System** – The word “**System**” will be used in these Rules and Regulations to designate the Marshall County Board of Public Utilities of Marshall County, Tennessee.

B. **Customer** – The word “customer” will be used in these Rules and Regulations to designate a person, firm or corporation contracting with the System for the furnishing of water to the property.

C. **Property owner**-The person or persons who are legally responsible to pay the property land tax.

D. **Renter**-Anyone paying money to the property owner but is not legally responsible to pay any property land taxes.

E. **Property**- The word “property” shall mean, except where otherwise specified:

(1) A building under one (1) roof and ownership and occupied by one (1) business or as one (1) residence.

This includes mobile homes in trailer parks as defined in paragraph F.

(2) One (1) or more buildings on a single tract of land, all under one (1) ownership and occupied by one (1) family or business.

(3) One (1) side of double house having a solid vertical partition wall.

F. **Trailer Park** – A “trailer park” consists of more than three (3) trailers where the trailer park owner owns the parking spaces.

G. Apartment House – An “apartment house” is a building housing three (3) or more families or three (3) or more households.

H. Service Connection – The phrase “service connection” will be used in these Rules and Regulations to designate the tap on the main, together with that portion of the line extending from the tap to the meter; In those installations where the meter is at or near the property line on the street, highway or right of way on which the main is located, only the portion of the line extending from the tap to and including the meter shall be included as part of the service connection

1. Water Service Contract

Any applicant for water service shall complete a Water Service Contract and submit it to the system with applicable service connection fee and nonrefundable service charge. If water service cannot be supplied in accordance with the system’s rules, regulations or policies or those of any state or federal agency with oversight regarding service, the liability of the System to the applicant for such water service shall be limited to the refund of the applicable tap fee.

2. Service Connections

The system shall be responsible for installing and maintaining all service connections. It is the sole responsibility of the customer to obtain, a perpetual easement in, across, over, under and upon the respective property, with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, maintain, replace, and remove water pipelines and appurtenant facilities, together with the right to utilize adjoining property belonging to the customer or another individual property owner for the purpose of ingress and egress from the above described property. All perpetual easements obtained by the customer are to be used by the customer to construct his private service line from water meter to his home. The System is in no way responsible to install or maintain the private water service of any customer. Any service connection not located on the property of the customer must be relocated at the customer’s expense to the property line of the customer if water service is extended to the customer’s property. The customer must tie into the relocated service connection within thirty (30) days from the date the service connection is relocated.

Should the cost of the installation of the service connection exceed the service connection fee, the additional cost will be borne by the customer.

All water lines shall be of sufficient size to be compatible with the service connection needed, in the opinion of the System, for furnishing ample water to said customers.

The System will install a meter and cut off valve for each service connection, both of which shall remain the property of the System. Also the System will install a check valve on the customer's side of meter, the cost of the check valve is included in the service connection fee except at a dry service connection. Marshall County Board of Public Utilities reserves the right to charge the customer a check valve fee where required. (i.e.; where there is no check valve on an inactive service connection)

3. Customer Service Lines

The customer shall be responsible for and bear the expense of installing and maintaining the service line from the meter to the house or point of use. Said service line materials and installation shall conform to the standards and specifications established by the System; this also shall include a cut off valve to be placed outside of the systems meter box on the customers side. The customers cut off valve shall be installed so that is accessible for the customer. (i.e. in box or valve riser) Failure to meet the standards for the installation and material for service line from the meter to the point of use shall be grounds for denial of service to the customer. The customer shall be liable for any damage incurred to the System's property resulting from the customer's negligence. Any customer replacing any or all of a service line must do so to the specifications of the System.

Acceptable service line materials are as follows:

Polyethylene- Polyethylene service tubing is to be ultra-high molecular weight polyethylene tubing with a pressure rating of 200 p.s.i. working pressure. Polyethylene service tubing must bear the National Sanitation Foundation Laboratories, Inc. seal of approval.

PVC-PVC Pipe shall be NSF- approved, Type 1, Grade 1, Type 1120 material conforming to AST, D2241 and ASTM-1784. PVC Pipe shall be Class 200, SDR 21, Schedule 40 or Schedule 80 with solvent weld or integral gasketed joints.

Copper- Copper service tubing shall be Type K soft copper tubing only.

Steel- Steel service pipe shall be standard weight galvanized steel pipe only.

4. Pressure Regulator Device

It shall be the responsibility of the customer to install and maintain a pressure regulator device on the customer's side of the service connection.

5. Customer Cut-Off Device

The customer shall be required to install and maintain a cut-off device on the customer's side of the service connection.

6. Non-Participation in a Water Line Extension

Any applicant, who lived on or owned property on a water line extension installed with System funds and who did not participate in the original water line extension (i.e. purchase a tap and grant an easement), will pay an equal amount of all participants on the water line extension.

7. Minimum Bill

The System will charge at least a minimum bill per month per customer for the water service regardless of the amount of water used. The minimum bill reflects each customer's share of the overhead to operate the system. If the customer fails to connect to the system when service is available and a service connection is made, the customer will pay a minimum bill per month until such time as the customer installs his service or he removes himself or his business from a metered location. By keeping the account active, the customer can demand service at any time and therefore must share in its costs.

8. Forfeited Discount

If full payment is not received in the System office by close of business on the due date on the bill, the customer must pay the gross amount (including forfeited discount) as shown on the bill.

9. Repossessed Water Taps

In the event a customer on a water line (i.e. dry tap) refuses to pay his account, he will continue to receive a minimum bill. Once the account balance remains unpaid for a period of six (6) months from the last payment in full, the service connection will be repossessed by the System. The customer will be sent a Repossessed Tap Notice notifying him that he has thirty (30) days to reinstate his account with the

System and halt repossession of the tap. If the customer does not respond within the thirty (30)-day period, the System will physically remove the tap from the customer's property. If new customer requests water service at this location at a future date, he must apply for water service. If the customer is the one owing the past due account, he must apply for water service again and may be subject to pay twice the current tap fee and all past due charges on said account.

10. Service Calls

In the event a customer requests that the System check a service connection for proper operation (i.e. report of a water leak, no water or low pressure) and no System responsibility is found, then the customer will be charged a service call fee. The service call fee maybe waived if a cut off valve is installed on the customer's side of meter box.

11. Billing Frequency

Utility bills will be rendered monthly. Commercial and Industrial customers may be billed monthly or more frequently, at the discretion of the Board.

12. Billing Due Date

The customer shall be required to pay his bill by the due date as noted on his bill. The customer's failure to pay by the due date shall constitute a loss of discount. Should the due date for payment of bill fall on a weekend or a holiday observed by the System, the bill may be paid on the following business day at the net amount.

13. Failure to Receive Bill

Utility bills are recognized as a routine bill owed by the customer. The customer's failure to receive a bill does not change in any way the customer's obligation to pay the amount due in a timely manner.

14. Termination of Service by Customer

In the event a customer removes himself or his business from a service location at which he is receiving water, he shall give the System a minimum of five (5) calendar day's notice of his intention to move. To remove himself or his business from a service location, the customer, if the owner, must sell the property where the service is located, or, if a renter, move from the property where the service is located. The customer shall be responsible for payment of water consumed up to the date his service is terminated. In the event a customer desires to move to a new location within the System, he shall pay any and all fees applicable to new location.

The procedure for customer notification of discontinuance of service is as follows:

- a. In person, customer must present acceptable identification.*
- b. Fax or Writing, customer must include address, account number, and one (1) other positive account identification.*
- c. No notification of discontinuance of service will be accepted by Telephone.*

15. Adjustments to Bills / Leak Adjustments

To qualify for a leak adjustment the water leak must be underground between the water meter and the house. This also includes any non livable space below the sub floor of the house. (i.e. crawl space) This does not include basements, and any parts of the house above the sub floor .

No customer shall receive more than one (1) adjustment in a twelve (12)- month period. All requests for leak adjustments must be received in writing in person at the business office of the System during regular business hours. Customer must locate and repair the leak before any request for a leak adjustment is made. Accommodations will be made for handicapped customers via request to the business office. The System shall be under no obligation to extend the discount or the due date of the time for paying any bills because of a billing adjustment. The

System shall not be obligated to make any adjustments to any bills not contested after ninety (90) days from the billing date.

If an adjustment of the customer's bill is warranted, the amount of the bill will be determined based on an average for the billing period for the last four (4) months before the leak occurred plus \$2.15 per thousand (1000) gallons used in excess of the average. If the customer does not have a four (4) month period to average, a lesser period may be used, but not less than two (2) months. A customer who does not have at least two (2) months bills to average for a leak adjustment will be required to pay one-half (1/2) of the bill reflecting the leak.

Adjustments on water bills will not be made for the following:

- a. Premises left or abandoned without reasonable care for the plumbing system.*
- b. Filling of swimming pools.*
- c. Watering of lawns or gardens.*
- d. When more than one service or house is on a meter.*

An adjustment is determined by averaging the four months prior to the leak. The leak adjustment does not include any other fees or service charges made to the account.

16. Discontinuance of Service (Cut-Offs):

Reasons for discontinuance of service:

- a. Nonpayment of bill or other charges.*
- b. Partial payment of bill or other charges, except when a customer inadvertently fails to pay the gross amount, however, the balance due must be paid by the next cut-off date.*
- c. Failure to comply with System rules, regulations and policies.*
- d. Any threat to public health on the customer's premises that may endanger other customers.*
- e. Tampering with System equipment or stealing service.*
- f. In the event that a customer adds or has added an additional residence on his one (1) tap.*
- g. Customer has an amount past due from any previous service.*

If the bill remains unpaid 10 days after the Gross Amount Due Date, service will be discontinued without any further notice.

Service will be reinstated only during regular working hours, Monday through Friday, 8:00 a.m. to 2:00 p.m. Notification must be given before 2:00 p. m.

In the event a customer who has been cutoff for nonpayment of service wishes to be reinstated as a current customer, he shall pay all cost for discontinuance of service to include a reconnect fee, past due charges, any applicable service fees and after hours fees.

In the event a customer who has been cutoff for nonpayment cuts the meter lock for the purpose of reinstating water service, said customer will be charged a cut lock fee. Also at this time the meter will be removed

*The System shall not disconnect the service to any customer on a life support system or dialysis machine. **It is the responsibility of the customer to notify the System in writing from their Physician if service discontinuance would be life threatening.** After notification, the System will red tag the customer's account and meter as an "Emergency Medical Service" to insure that the service is not cut off by System personnel or others.*

If an emergency medical service customer cannot pay a bill or other charge, it shall be the customer's responsibility to find a social service or charitable group to assist the customer.

17. Multiple Connections to One (1) Meter:

At no time shall there be more than one (1) residence connected to one (1) meter)

Authorized employees, representatives and contractors of the System shall have ready access to all properties served by the System at reasonable times for the purpose of reading meters, maintaining and inspecting lines and connections to the System (or believed to be connected to the System), observation, measurement, sampling and testing as provided by the policies of the system and by state and federal law.

18 Theft of Service:

Anyone found to be in violation of the theft of service policy will be subject to a tampering fee.

Service will not be restored until all payments for the following are received by the System:

- a. Adjusted payment for utility service.*
- b. Tampering fee.*
- c. Reconnection fee and any other fees as deemed appropriate.*
- d. The cost of damages to System property to include labor, equipment, overhead and replacement parts.*

19. Shortages and Emergencies:

The System cannot and does not guarantee either a sufficient supply or an adequate or uniform pressure, and shall not be liable for any damage or loss resulting from an inadequate or interrupted supply, from any pressure variations, or for damages from the resumption of service. The System may declare service restrictions during a period of shortage and emergencies.

20. Cross- Connections:

No person shall cause a cross-connection, auxiliary intake, by-pass or inter-connection to be made, or allow one to exist for any purpose whatsoever; unless the construction and operation of same have been approved by the Tennessee Department of Public Health. The operation of such cross-connection, auxiliary intake, by-pass or inter-connection is at all times under the direct supervision of The Marshall County Board of Public Utilities System.

A System representative shall have the right to enter at any reasonable time any property served by a connection to the System's Public Water Supply for the purpose of inspecting the piping system or systems thereof for cross-connections, auxiliary intakes, by-passes or interconnections. On request, the owner, lessee or occupant of any property so served shall furnish to the System any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections.

21. Water Line Extensions by the System:

In the event the System shall see fit to extend any main line of its waterworks, the System shall, upon considering all circumstances, bear the cost of this extension.

22. Subdivisions and Developers:

In the event an individual wishes to extend/develop a water line at their own expense, the individual must adhere to the System's Subdivisions and Developers Policy.

The foregoing Rules and Regulations, the aforementioned Schedule of Rates and Charges and Organizational Data may be amended, modified, enlarged or otherwise changed at any time a majority of the Marshall County Board of Public Utilities deems necessary.

The System has, by proper resolution, adopted the foregoing Rules and Regulations for the Marshall County Board of Public Utilities of Marshall County, Tennessee, which resolution declares that if any section, paragraph, clause or provision of these Rules and Regulations shall be held to be invalid or in effective for any reason, the remainder of these Rules and Regulations shall remain in full force and effect.

MARSHALL COUNTY BOARD OF PUBLIC UTILITIES WATER RATES

Effective February 01, 2011

Present Water Rates:

0-1000 Gallons----- \$16.00
Next 23,999 Gallons----- \$7.80 per. 1000 gallons
Over 25,000 Gallons-----\$6.00 per. 1000 gallons
Plus: 9.25% State Sales Tax to be added.

Service Connection (water) Tap Fees:

Effective January 01, 2007

¾ inch-----\$2,000.00

1 inch-----\$3,000.00

2 inch-----\$4,000.00

***Any tap over 1” is at the discretion Marshall Co. Board of Public Utilities.**

Note: The cost of upgrade one tap size will be the difference in cost of the respective taps as stated above (i.e. Upgrade from a ¾ inch tap to a 2 inch tap will be an additional \$2,000.00).

Also added to all new tap fees there will be a \$50.00 service charge which is nonrefundable. A \$40.00 check valve charge will also be added to all inactive water service connections which are made active water service connections as deemed needed by the system.

Fire Protection: Marshall County Board of Public Utilities does not Guarantee Fire Protection at anytime, place or on any part of our water system. The fire hydrants are used to flush the water system and can only be used by fire departments to refill their tanker trucks only. Fire departments are not allowed to hook a hard suction fire line to any fire hydrant and pump water from it using a pumper truck.

Should the cost of the installation of the tap exceed the tap fee, the additional cost will be borne by the customer.

Other Fees:

Nonrefundable Connection Fee: \$50.00 per connection

Service Call Fee Regular Hours:\$35.00 per call

Service Call Fee After Hours: \$45.00 per call

Meter Replacement: \$60.00 per meter

Meter Riser Resetter: \$80.00 per reset or current cost

Theft Service: \$150.00 per event (metered water w/no water service contract)

Returned Check Service Fee: \$20.00 per returned check

Reconnection Fee: \$40.00 per reconnect

Cut Lock Fee: \$50.00 per cut lock+ **Tampering Fee or Theft of Service**

Meter Change-out Fee: \$60.00 per occurrence

Tampering Fee (Water Theft): \$250.00 per occurrence (unmetered water)

Late Payment Fee: 10.0% of water service

Meter Box & Lid Change out: \$45.00 per box & lid
Meter Box Lid Change out: \$25.00 per lid

Note: All Fees are Subject to Change Without Notice.
(Due to the changing prices of all materials used)

ORGANIZATIONAL DATA

Administration: Tommy Whaley: Superintendent
Charles A. Bolton: Asst. Superintendent
Gayle Shaneyfelt – Office Manager

Organization: Marshall County Board of Public Utilities

Telephone: Office Hours: 931-359-6905, After Hours: 931-359-6905

Fax #: 931-359-8876

Office Hours: *Monday-Friday, 8:00 A.M. - 4:00 P.M.*

Email Address: [marshallcounty @bellsouth.net](mailto:marshallcounty@bellsouth.net)

Office Address & Mailing: 624 West Commerce Street, Lewisburg, Tennessee 37091

Board Members:

Rocky Bowden (chairman)

W.R. Blalock

Mickey King

Matt Collins

Nathan Johnson

“MCBPU is an equal opportunity provider and employer”

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S. W.,
Washington, D. C. 20250-9410