

Chapter 175

WATER

[HISTORY: Adopted by the Town Council of the Town of Pennington Gap as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Connections, Rates and System Regulations

[Adopted 3-14-1985 (Ch. 18 of the 1985 Code)]

§ 175-1. Application for water. [Amended 4-16-1984]

Application for a new connection shall be made on the prescribed form at least seven days before such connection is desired to be made.

**§ 175-2. Connection rules and regulations. [Amended 2012 adding section K]
[Amended by Council vote on December 21, 2020 to remove section K]**

- A.** The Town has the right to refuse service if it determines that it is not economically feasible or if service connection is requested on a line where, in the opinion of the Department, a maximum customer load is already established and any additional connection would jeopardize service to present customers.
- B.** Prescribed connection fees must be paid before connection will be made. Prescribed reconnection fees must be paid in order to resume service.
- C.** Physical disconnection, by actual removal of any connecting lines, must be made from any and all other systems.
- D.** A cut-off must be placed in the water line immediately past the meter.
- E.** Only one domestic service or one business establishment is allowed to be served through one meter.
 - (1)** Apartments over garages or store buildings will require a separate meter.
 - (2)** Churches and parsonages will require a separate meter.
 - (3)** Any business, store, or filling station next to a residence requires a separate meter.
- F.** There shall be no free service rendered by the Water Department and, if any local, state or federal government, or any department or agency, or instrumentality thereof, or any other public body shall desire service to be rendered by the Water Department it shall apply for and receive such service pursuant to the rules and regulations herein contained and shall pay for the same at the established rates, fees, and other charges.
- G.** The Department will make all connections to its mains and will specify the location, size, kind and quality of all materials entering into a service connection.
- H.** The service connection, and all materials used therefor, including special connections for fire service or for service of a temporary nature, shall remain the property of the Department and be under its sole control and jurisdiction.
- I.** No fixture shall be attached to, or any branch made in, the service pipe between the meter and the street main.

- J. Any repairs, maintenance, replacement or relocation necessary on the customer's service pipe or fixtures in or upon the customer's premises shall be performed by the customer at his expense and risk.

§ 175-3. Connection and Reconnection charge. [Amended 4-16-1984]

- A. Connection charges shall be as set from time to time by the Town Council for the following:
 - (1) Normal new connection fees for 5/8-inch by 3/4-inch tap.
 - (2) Connection for one-inch tap.
 - (3) Connection for 1 1/2-inch tap.
 - (4) Connection fee for two-inch tap and above.
- B. Charges begin with the installation of the meter and end upon notice to discontinue.
- C. Out-of-Town taps or connection will be twice the amount of charge for in-Town; applies to all sizes. [Amended effective 11-1-1990]
- D. Reconnection charges shall be as set from time to time by the Town Council.

§ 175-4. Deposits.

The Water Department will require a deposit on any applicant for service to secure the performance of the customer for the terms and conditions of the Water Department under which water service is supplied.

- A. The deposit for domestic service shall be as set from time to time by the Town Council. [Amended 9-1-2001]
- B. The deposit for commercial service will be the estimated amount of two months' bill.
- C. The deposit will be refunded, without interest, when service has been discontinued, after, or as described in subsection D, deducting any charges due on final settlement of the customer's account. [Amended 2012]
- D. If a customer remains in good standing for a period of two years, the deposit will be refunded upon application of the customer, without interest. A customer in good standing is defined as one who has paid each monthly bill of the customer's account on time and who has had no outstanding charges from the date of connection. An application for refund of the deposit shall be made by the customer to the Water Department in writing made at least sixty (60) days prior to that of the proposed refund. [Amended 2012]
- E. Deposits from customers deceased or moved away which remain unclaimed after a period of six months will be transferred into the General Fund. [Amended 2012]

§ 175-5. Rates.

Water rates for consumers inside the Town and outside the Town and reconnection fees shall be as set from time to time by the Town Council. A service active for less than one month's billing period is subject to a minimum rate, or the metered rates, whichever is larger.

§ 175-6. Wholesale or retail sale of water.

The Water Department may establish special rates and enter into contracts with any person, firm, corporation, political subdivision or public body (state or federal) for wholesale or retail sale of water or for the rendering of any unusual or extraordinary water service; provided, however, that the rates, fees and charges to be paid thereunder shall be not less than amounts which are fair and equitable but in no case less than \$0.75 per 1,000, taking into account the cost to the Department of providing such service and the periods of such contracts and the provisions of any trust agreement under which bonds were issued for the purpose of paying the cost of any part of its water system.

§ 175-7. Payment; violations and penalties. [Amended 10-14-1985]

- A. Bills for water service shall be due and payable in full when rendered.
- B. Notice of delinquency of bill, mailed: penalty of 10% added.
- C. In addition to the penalty, an interest charge of 10% will be added to the past due accounts.

§ 175-8. Meters and meter installation.

- A. The department shall determine the location, type and size of meter to be installed.
- B. Meters will be furnished, installed and removed by the Department and shall remain its property.
- C. Where meters are installed within a building, the customer shall provide at his expense a readily accessible and protected location for the installation of the meter at such a point as will control the entire supply to the premises, which location must be acceptable to the Department as convenient for its servicing.
- D. Customer dissatisfaction expressed as improper meter functioning will be handled as follows:

The Town will check the meter and repair or replace if found to be giving inaccurate readings.

- E. If a meter should fail to register for any reason, or if the meter reader should be unable to read the meter on account of snow or other reasons, an estimated bill will be submitted.

§ 175-9. Payment of water bills.

- A. Payments shall be made at the office of the Water Department or at such other places as may be designated by the Water Department.
- B. Customers are responsible for furnishing the Water Department with their correct address.

Failure to receive bills will not be considered an excuse for nonpayment, nor permit an extension of the date when the account will be considered delinquent.

- C. If a bill is not paid in full by the date it shall become due and payable, it shall be considered delinquent. The customer will be mailed a Past Due Notice. Payment of the entire balance on the Past Due Notice must be received by the date listed or service may be discontinued and the meter removed by the Water Department. In order to resume service, the customer shall be required to pay a reconnection fee and any delinquent amount. If the reconnection fee is not paid in a reasonable amount of time, any meter deposit on record may be applied against such delinquency and any other arrears due by the customer.
- D. All charges applicable to a service shall be deemed to be charges against the head of the household although application for such service may have been made by a member of the household other than the head.

§ 175-10. Adjustment of bills.

- A. There shall be no abatement of the minimum charges in whole or in part, by reason of the extended absence of the customer, unless service has been discontinued at his request, and no abatement shall be made for leaks or for water wasted by improper or damaged service pipes or fixtures belonging to the customer; except that after payment of the first abnormally large bill, and after notification from the customer that the condition causing such bill has been corrected, adjustment of the following bill may be made to an amount charged for 25,000 gallons of water, or an average of the previous three bills.
- B. Overage check made at the request of the user, only if bill exceeds minimum charge by more than \$1.

§ 175-11. Discontinuance of water service.

- A. Service may be discontinued by the Water Department after five days' notice for any of the following reasons:
 - (1) Willful or indifferent waste of water due to any cause.
 - (2) Failure to protect and maintain the service pipe or fixtures on the property of the customer in a condition satisfactory to the Department.
 - (3) Molesting or tampering by the customer, or others with the knowledge of the customer, with any meters, connection, service pipe, curb cock, seal or any other appliance of the Department controlling or regulating the customer's water supply.
 - (4) Nonpayment of any account for water supplied, for water service, or for any fee or charge occurring under these rules and regulations and the effective schedules of rates.
 - (5) Violation of any rule or regulation of the Department.

- B. Discontinuing the supply of water to a premises for any reason shall not prevent the Department from pursuing any lawful remedy by action of law or otherwise for the collection of monies due from the customer.
- C. When water service to a customer has been terminated for any of the above reasons, other than temporary vacancy of the premises, it will be renewed only after the condition, circumstances or practices which caused the water service to be discontinued are corrected to the satisfaction of the Department, and upon payment of all charges due and payable by the customer in accordance with these rules and regulations and the effective schedule of rates.

§ 175-12. Interruptions in water supply.

- A. The department may at any time shut off the water in the mains in case of accident, or for the purpose of making connections, alterations, repairs, changes, or for other reasons, and may restrict the use of water to reserve a sufficient supply for public fire service or other emergencies whenever the public welfare may require it.
- B. While it is the intention of the Department to give notices in advance of any work which must be done that will necessitate any interruption of the supply, such notice is to be considered a courtesy, and not a requirement, on the part of the Department. Property owners must so regulate their installations connected with the water supply system that damage will not occur if water is shut off without notice.
- C. The Department will undertake to use reasonable care and diligence in order to avoid interruptions and fluctuations in the service, but it cannot and does not guarantee that such will not occur.

§ 175-13. Cross-connection control. [Amended 6-19-1989]

This section provides for the protection of the Town's drinking water supply from possible contamination caused by back-pressure or back-siphonage conditions, in accordance with the regulations of the Virginia Department of Health and Virginia Uniform Statewide Building Code (BOCA Plumbing Code).

- A. Authority and responsibilities.
 - (1) Responsibility of the Director. The Mayor, or Town Manager, whichever applies, of the Town of Pennington Gap or his designated agent shall inspect the plumbing in every building or premises connected to a water system and operated by the Town of Pennington Gap as frequently as in his judgment may be necessary to ensure that such plumbing has been installed in such a manner to prevent the possibility of pollution of the water supply of the Town by the plumbing. The Mayor, or Town Manager, whichever applies, shall notify or cause to be notified, in writing, the owner or authorized agent of the owner of any such building or premises, to correct, within 10 days, any plumbing installed or existing contrary to or in violation of this section, and which, in his judgment, may, therefore, permit the pollution of the Town's water supply, or otherwise adversely affect the public health.
 - (2) Inspection.

(a) The Mayor, or Town Manager, whichever applies, or his designated agent, shall have the right of entry into any building, during reasonable hours, for the purpose of making inspection of the plumbing systems installed in such building or premises, provided that with respect to the inspection of any single-family dwelling, consent to such inspection shall be first obtained from a person of suitable age and discretion therein or in control thereof.

(b) All new connections should be inspected for cross-connection and the necessity of a backflow prevention device prior to connecting to the public water system; when this is not possible the inspection will be made within 30 days from date of connection. In addition to new connections, all new or existing individual service connection booster pump stations shall be inspected and approved before being put into operation.

(3) Records. Program records will be stored at the Mayor's office in the Municipal Building in Pennington Gap, Virginia. These records will be stored for a minimum of 10 years and will be made available to the Virginia Department of Health for review upon request.

B. Implementation plan.

(1) Person in charge of program: Mayor, or Town Manager, whichever applies, Town of Pennington Gap.

(2) Records. Records will be kept at the Pennington Gap Mayor's office located in the Municipal Building, Pennington Gap, Virginia. The records will be stored for 10 years and will be available for review by the Virginia Department of Health.

(3) Person in charge of technical aspect of program: Mayor or Town Manager, whichever applies, or his designated agent.

(4) Customer responsibilities. Customers are responsible for the maintenance and overhaul of any devices specified within this plan. The operator or his designated agent will check to ensure that all devices are overhauled within the allotted time. [See Subsection B (6).]

(5) Devices to be tested by qualified person. The operator will be trained by testing equipment manufacturer and sent to seminars, if offered in this area.

(6) Time schedule. Customer will be given 10 days to correct a problem.

(7) Public awareness program. An annual survey form will be enclosed with bills or sent by separate mailing.

(8) See Table I for evaluation hazards and devices to be used.

(9) Forms.

(a) Notice and Annual Survey Form.

(b) Initial Inspection Form.

(c) Annual Inspection Form.

(d) Table I.

(e) Backflow Prevention Device Test Form.

(f) Records of Inspection.

C. Definitions. As used in this section, the following terms shall have the meanings indicated:

AGENCY- The Town of Pennington Gap, Virginia.

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

APPROVED-Accepted by the Town of Pennington Gap as meeting an applicable specification stated or cited in this section or as suitable for the proposed use.

AUXILIARY WATER SYSTEM- Any water source or system other than the potable water supply that may be available in the building or premises.

BACK PRESSURE- Back flow caused by a pump, elevated tank, boiler, or other means that could create pressure within the system greater than the supply pressure.

BACKFLOW -The flow of contaminants, pollutants, process fluids, used water, untreated waters, chemicals, gases, non-potable waters into any part of a waterworks.

BACKFLOW PREVENTER - A device or means to prevent backflow. All backflow prevention devices shall be approved by the Virginia Department of Health.

BACKFLOW PREVENTER REDUCED PRESSURE ZONE TYPE (RPZ DEVICE)- An assembly of differential valves and check valves including an automatically opened spillage port to atmosphere.

BACKSIPHONAGE - The flowing back of used, contaminated, or polluted water from a plumbing fixture, vessel, or other source into a potable water supply pipe due to a negative pressure in such pipe.

BAROMETRIC LOOP - A loop of pipe rising at least 35 feet, at its topmost point, above the highest fixture it supplies.

CHECK VALVE- A self-closing device which is designed to permit the flow of fluid in one direction only and to close if there is a reversal of flow.

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

CROSS-CONNECTION- Any physical connection between a potable water supply and any waste pipe, soil pipe, sewer, drain, or any unapproved source or system. Furthermore, it is any potable water supply outlet which is submerged in wastewater and/or any other source of contamination. See “backflow “ and “backsiphonage”.

DIRECTOR -The Mayor, or Town Manager, whichever applies, of the Town of Pennington Gap, Virginia or his designated agent.

DOUBLE CHECK VALVE ASSEMBLY- An approved assembly composed of two internally loaded, specially designed and independently operating check valves together with a tightly closing valve on the upstream side of the check valves equipped with properly placed female thread test cocks.

DRAIN - Any pipe that carries wastewater or waterborne wastes in a building drainage system.

FIXTURE, PLUMBING - Installed receptacles, devices, or appliances supplied with water or that receive or discharge liquids or liquid-borne wastes.

FLOOD-LEVEL RIM- The edge of the receptacle from which water overflows.

HAZARD, HEALTH - Any conditions, devices, or practices in the water supply system and its operation which create, or in the judgment of the Director or Department of Health may create, a danger to the health and well-being of the water consumer. An example of a health hazard is a structural defect in the water supply system, whether of location, design, or construction, that regularly or occasionally may prevent satisfactory purification of the water supply or cause it to be polluted from extraneous sources.

HAZARD, PLUMBING - Any arrangement of plumbing, including piping and fixtures whereby a cross-connection is created.

HYDROPNEUMATIC TANK - A pressure vessel in which air pressure acts upon the surface of the water contained within the vessel, pressurizing the water distribution piping connected to the vessel.

INDIVIDUAL WATER SUPPLY - A supply other than an approved public water supply which serves one or more families.

INLET- The open end of the water supply pipe through which the water is discharged into the plumbing fixture.

NONPOTABLE WATER- Water that is not safe for human consumption or that is of questionable potability.

PLUMBING SYSTEM □- Includes the water supply and distribution pipes, plumbing fixtures, and traps; soil, waste, and vent pipes; building drains and building sewers, including their respective connections, devices, and appurtenances within the property lines of the premises; and water-treating or water-using equipment.

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

POTABLE WATER □-Water suitable for drinking.

PURVEYOR - The supplier of water as a matter of business; the Town of Pennington Gap, Virginia.

SERVICE CONNECTION - The joining of the waterworks to a meter consumer.

SERVICE LINE - That portion of the water line from the consumer's side of the meter to the first water outlet.

SURGE TANK-The receiving, non-pressure vessel forming part of the air gap separation between potable and an auxiliary supply.

VACUUM - Any pressure less than that exerted by the atmosphere.

VACUUM BREAKER, NONPRESSURE TYPE - A vacuum breaker designed so as not to be subjected to static line pressure.

VACUUM BREAKER, PRESSURE TYPE - A vacuum breaker designed to operate under conditions of static line pressure.

D. General (technical) requirements.

(1) General. A potable water supply system shall be designed, installed, and maintained in such manner as to prevent contamination from nonpotable liquids, solids, or gases from being introduced into the potable water supply through cross-connections or any other pipe connections to the system.

(2) Service connections. Section 6.00 of the Commonwealth of Virginia Waterworks Regulations requires that an approved backflow prevention device be installed on each service line to a consumer's water system serving the following facilities:

- (a)** Hospitals, mortuaries, clinics, nursing homes;
- (b)** Laboratories;
- (c)** Piers, docks, waterfront facilities;
- (d)** Sewage treatment plants, sewage pumping stations, or stormwater pumping stations;
- (e)** Food and beverage processing plants;
- (f)** Chemical plants, dyeing plants;
- (g)** Metal plating industries;
- (h)** Petroleum processing or storage plants;
- (i)** Radioactive materials processing plants or nuclear reactors;
- (j)** Car washes;
- (k)** Lawn sprinkler systems and irrigation systems;
- (l)** Fire service systems;
- (m)** Slaughterhouses and poultry processing plants;
- (n)** Farms where the water is used for other than household purposes;
- (o)** Other facilities specified by the Director or the Virginia Department of Health because of potential backflow or cross-connection hazard.

(3) Cross-connections prohibited. Cross-connections between potable water systems and other systems or equipment containing water or other substances of unknown or questionable safety are prohibited except when and where, as approved by the Virginia

Department of Health, suitable protective devices such as the reduced pressure zone backflow preventer or equal are installed, tested, and maintained to ensure proper operation on a continuing basis. Cross-connections and backflow preventers to be approved at the time of connection. Existing connections will be periodically checked.

(4) Interconnections. Interconnection between two or more public water supplies shall be permitted only with the approval of the water purveyor and the Virginia Department of Health.

(5) Fire service connections. Certified plans for fire service connections served by the Town of Pennington Gap must be submitted to the Town of Pennington Gap for approval prior to construction. If approved, the plans will then be submitted to the Virginia Department of Health.

(6) Individual water supplies. Cross-connection between an individual water supply and a potable public supply shall not be made unless specifically approved by the Virginia Department of Health.

(7) Connections to boilers. Potable water connections to boilers shall be made through an air gap or provided with an approved backflow preventer.

(8) Prohibited connections to fixtures and equipment. Connection to the potable water supply for the following is prohibited unless protected against backflow in accordance with Subsection E or as set out herein:

(a) Bidets.

(b) Operating, dissection, embalming, and mortuary tables or similar equipment; in such installation the hose used for water supply shall terminate at least 12 inches away from every point of the table or attachments.

(c) Pumps for non-potable water, chemicals, or other substances; priming connections may be made only through an air gap.

(d) Building drainage, sewer, or vent systems.

(e) Hose connections to outside faucets.

(f) Any other fixture or similar hazard.

(9) Refrigerating unit condensers and cooling jackets. Except where potable water provided for a refrigerator condenser or cooling jacket is entirely outside the piping or tank containing a toxic refrigerant, the inlet connection shall be provided with an approved air gap or RPZ (reduced pressure zone) device.

E. Protection against backflow and backsiphonage.

(1) Water outlets. A potable water system shall be protected against backflow and backsiphonage by providing and maintaining at each outlet:

(a) Air gap. An air gap, as specified in Subsection E(2), between the potable water outlet and the flood level rim of the fixture it supplies or between the outlet and any other source of contamination; or

(b) Backflow preventer. A device or means to prevent backflow, approved air gap device, check valve, detector check valve and pressure relief valve.

(2) Minimum required air gap.

(a) How measured. The minimum required air gap shall be measured vertically from the lowest end of a potable water outlet to the flood rim or line of the fixture or receptacle into which it discharges.

(b) Size. The minimum required 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 cases the minimum required air gap shall be three times the effective opening of the outlet.

In no case shall the minimum required air gap be less than shown in Table E (2).

TABLE E (2) Minimum Air gaps for Generally Used Plumbing Fixtures

Fixtures	When Not Affected by Near Wall (inches)	When Affected by Near Wall (inches)
Lavatories and other fixtures with effective openings not greater than ½ inch diameter	1	1.5
Sink, laundry trays, gooseneck bath faucets and other fixtures with effective openings not greater than ¾ inch in diameter	1.5	2.25
Over rim bath filters and other fixtures with effective openings not greater than 1 inch in diameter	2	3
Drinking water	1	1.5

Fountains-single Orifices 7/16 inch in diameter or multiple orifices having total area of 0.150 square inch (area of circle 7/16 inch in diameter)		
Effective openings greater than 1 inch	Two times diameter of effective opening	Three times diameter of effective opening

Notes:

Sidewalls, ribs or similar obstructions do not affect air gaps when spaced from inside edge of spout openings a distance greater than three times the diameter of the effective opening for a single wall, or a distance greater than four times the diameter of the effective opening for two intersecting walls.

Vertical walls, ribs, or similar obstructions extending from the water surface to or above the horizontal plane of the spout opening require a greater airgap when spaced closer to the nearest inside edge of spout opening than specified in Note 1 above. The effect of three or more such vertical walls or ribs has not been determined. In such cases, the air gap shall be measured from the top of the wall.

(3) Approval of devices.

(a) Before any device for the prevention of backflow or backsiphonage is installed, it shall have first been approved by the Virginia Department of Health. Devices installed in a potable water supply distribution system for protection against backflow shall be maintained in good working condition by the person or persons responsible for the maintenance of the system.

(b) The Mayor or his designee shall inspect routinely such devices and if found to be defective or inoperative shall require the replacement thereof.

(4) Installation of devices.

(a) Vacuum breakers. Vacuum breakers shall be installed with the critical level at least six inches above the flood-level rim of the fixture they serve and on the discharge side of the last control valve to the fixture. No shut-off valve or faucet shall be installed beyond the vacuum breaker. For closed equipment or vessels, such as pressure sterilizers, the top of the vessels shall be treated as the flood level rim but a check valve shall be installed on the discharge side of the vacuum breaker.

(b) Reduced pressure principle backflow preventer. A reduced pressure principle

type backflow preventer may be installed subject to full static pressure.

(c) Devices of all types. Backflow- and backsiphonage-preventing devices shall be accessibly located, preferably in the same room with the fixture they serve. Installation in utility or service spaces, provided they are readily accessible, is also permitted.

(5) Tanks and vats: below rim supply.

(a) Where a potable water outlet terminates below the rim of a tank or vat and the tank or vat has an overflow of diameter not less than given in Table E(5), the overflow pipe shall be provided with an air gap as close to the tank as possible.

TABLE E (5)

Sizes of Overflow Pipes for Water Supply Tanks

Maximum Capacity of Water Supply Line to Tank (gallons per minute)	Diameter of Overflow Pipe (inches ID)	Maximum Capacity of Water Supply Line to Tank (gallons per minute)	Diameter of Overflow Pipe (inches ID)
0 to 50	2	400 to 700	5
50 to 150	2 ½	700 to 1,000	6
100 to 200	3	Over 1,000	8

(b) The potable water outlet to the tank or vat shall terminate a distance not less than 1 to 1 1/2 times the height to which water can rise in the tank above the top of the overflow. This level shall be established at the maximum flow rate of supply to the tank or vat and with all outlets except the airgap overflow outlet closed.

(c) The distance from the outlet to the high water level shall be measured from the critical point of the potable water supply outlet.

(6) Protective devices required. Approved devices to protect against backflow and backsiphonage shall be installed at all fixtures and equipment where backflow and/or backsiphonage may occur and where a minimum air gap cannot be provided between the water outlet to the fixture or equipment and its flood level rim.

(a) Connections not subject to backpressure. Where water connection is not subject to backpressure, a vacuum breaker shall be installed on the discharge side of the last valve on the line serving the fixture or equipment. A list of some conditions requiring protective devices of this kind is given in Table E (6)(a),

Cross-Connections Where Protective Devices are Required and Critical Level (C-L) Settings for Vacuum Breakers."

TABLE E (6)(a)

**Cross-Connections Where Protective Devices Are Required and Critical Level (C-L)
Settings for Vacuum Breakers**

Fixture of Equipment	Method of Installation
Aspirators and ejectors	C-L at least 6 inches above the flood level of
Dental Units	On models without build-in vacuum breakers, CL
Dishwashers	C-L at least 6 inches above flood level of machine; install both hot and cold water supply line
Flushometers (closet and urinal)	C-L at least 6 inches above top of fixture
Garbage can cleaning machine	C-L at least 6 inches above flood level of machine; install both hot and cold water supply
Hose Outlets	C-L at least 6 inches above highest point on hose
Laundry Machines	C-L at least 6 inches above flood level of machine; install on both hot and cold water supply lines
Lawn Sprinklers	C-L at least 12 inches above highest sprinkler discharge outlet
Steam Tables	C-L at least 6 inches above flood level
Tank and Vats	C-L at least 6 inches above flood level rim or line
Trough Urinals	C-L at least 30 inches above perforated flush pipe
Flush Tanks	C-L at least 30 inches above perforated flush pipe; equip with approved ball cock. Where ball cocks touch tank water, equip with vacuum breaker at least 1 inch above overflow outlets. Where ball cock does not touch tank water, install ball cock outlet at least 2 inches above overflow outlet or provide vacuum breaker as specified above.
Hose Bibs (Where aspirators or ejectors could be connected)	C-L at least 6 inches above flood level of receptacle served

Notes:

Critical level (C-L) is defined as the level to which the vacuum breaker may be submerged before backflow will occur. Where the C-L is not shown on the preventer, the bottom of the device shall be taken as the C-L.

(b) Connections subject to backpressure. Where a potable water connection is made to a line, fixture, tank, vat, pump, or other equipment with a hazard of backflow or backsiphonage where the water connection is subject to use of an approved reduced

pressure principle backflow preventer. A partial list of such connections is shown in Table E(6)(b).

TABLE E(6)(b)

Partial List of Cross-Connections Which May be Subject to Backpressure

Chemical Lines	Pumps
Dock Water Outlines	Steam Lines
Individual Water Supplies	Swimming Pools
Industrial Process Water Lines	Tank and Vats-Bottom Inlets
Pressure Tanks	Hose Bibs

- (7) Double check-double gate valves. The Mayor, or Town Manager, whichever applies, may authorize installation of approved, double check-double gate valve assemblies with test cocks as protective devices against backflow in connections between a potable water system and other fluid systems which present no significant health hazard in the judgment of the Mayor, or Town Manager, whichever applies.
- (8) Low-pressure cut-off required on booster pumps. When a booster pump is used on a water pressure booster system, it shall be equipped with a low pressure cut-off that will inactivate the pump when the positive pressure of 10 psi or less occurs on the suction side of the pump.

F. Maintenance requirements.

(1) General requirements. It shall be the responsibility of building and premises owners to maintain all backflow preventers and vacuum breakers within the building or on the premises in good working order and to make no piping or other arrangements for the purpose of bypassing backflow devices.

(2) Backflow preventers. Periodic testing and inspection schedules shall be established by the Mayor, or Town Manager, whichever applies, for all backflow preventers and the interval between testing and inspections and overhauls of each device shall be established in accordance with the age and the condition of the device. Inspection intervals should not exceed one year, and overhaul intervals shall not exceed five years. These devices should be inspected frequently after initial installation to assure that they have been properly installed and that debris resulting from the installation has not interfered with the functioning of the device. The testing procedures shall be in accordance with the manufacturer's instructions when approved by the Mayor, or Town Manager, whichever applies.

G. Violations and penalties.

(1) Notification of violation. In the event there is found a violation of these rules and regulations, then the Mayor, or Town Manager, whichever applies, shall notify the owner or authorized agent of the owner of the building or premises in which there is found a violation of this section of such violation. The Mayor, or Town Manager, whichever applies, shall set 10 days for the owner to have the violation removed or corrected and notify him of such unless, in the judgment of the Mayor, or Town Manager, whichever applies, an imminent health hazard exists. In the event of the latter, the Mayor, or Town Manager, whichever applies, may immediately terminate water service to the building or premises until the violation is satisfactorily corrected. The Mayor, or Town Manager, whichever applies, shall notify the owner as soon as possible of such termination, but

notice shall not be a condition precedent to termination of service for an imminent health hazard. In the event of a potential but no imminent health hazard, and upon the failure of the owner to have the defect corrected by the end of the specified time interval established by the Mayor, or Town Manager, whichever applies, the Mayor, or Town Manager, whichever applies, may cause the water service to the building to be revoked as herein may be provided. Notice shall be given hereunder to the mailing address to which statements for services are forwarded.

(2) Fines. The owner or authorized agent of the owner responsible for the maintenance of the plumbing systems in the building who knowingly permits a violation to remain uncorrected after the expiration of time set by the Mayor, or Town Manager, whichever applies, shall, upon conviction thereof by the court, be guilty of a misdemeanor punishable by a fine of not less than \$100 and not exceeding \$500 or by imprisonment not exceeding 30 days, or by both such fine and imprisonment.

§ 175-14. Damages to water system.

Damage to water lines, valves, meters, meter boxes, fire plugs, etc., shall be paid for by the party or parties responsible for said damage.

§ 175-15. Municipal building tenants.

Beginning January 1, 1985, the Town of Pennington Gap will be required to collect for water, sewer and garbage service to tenants in the municipal building. This is required by the Town's newly adopted water ordinance. Since there are no water meters, each tenant will be billed at the minimum rate for business service, at a rate as set forth from time to time by the Town Council. In cases where two or more businesses share the same facilities, each business will be billed for its equal share of a single service bill.

ARTICLE II
Out-of- Town Trunk Line

[Adopted 5-13-1996]

§ 175-16. Findings.

The Town of Pennington has several areas in the water service area lying outside the corporate limits of the Town, and each is served by Town water from the main line, but the actual service to each house is served by a trunk line running off the main Town line, which trunk line was not constructed by the Town of Pennington Gap and/or one of its contractors. These areas give substantial trouble regarding leaking lines, and the residents have previously failed or refused to repair these trunk lines. Since a leak in these trunk lines is a threat to the Town's entire water supply for its citizens and customers, the Town needs to adopt a procedure to provide for the repair of these leaking trunk water lines.

§ 175-17. Surcharge imposed.

This article is passed in order to provide a procedure whereby water can still be furnished to these out-of-Town citizens without threatening the water supply of the entire Town. It is therefore resolved that there is hereby assessed an increase of 10% in the water bills of all out-of-Town water customers who draw water from one or more of the foregoing trunk lines, or any other trunk line designated by the Mayor as being a trunk line lying outside the Town, not constructed by the Town or one of its contractors, and which furnishes water to two or more customers. The total water bill for these customers shall be 130% of the regular charges for the residents of the Town of Pennington Gap.

§ 175-18. Use of surcharge fund.

The ten-percent surcharge shall be maintained in a separate fund until it reaches \$10,000, at which time the charges shall stop. The proceeds of the fund shall be used only for the maintenance, repair and reconstruction of trunk water lines outside the Town as described above for the benefit of those who pay the surcharge.

ARTICLE III

Water Emergencies
[Adopted 9-21-1998]

§ 175-19. Purpose.

The purpose of this article is to provide a planned contingency method of curtailing the use of water during a water shortage or "crisis"; and to provide all Town water users with notification of the plan well in advance, so that any customer can make his or her own contingency plan.

§ 175-20. Declaration of emergency.

The contingency plan as outlined will be in effect upon declaration of a water emergency by either the Town Manager or the Mayor. A water emergency is deemed imminent when the total water stored in the Town storage facility reaches 450,000 gallons (depth of 18 feet).

§ 175-21. Notice.

Notice of a declaration of an emergency and the level of such emergency shall be provided by either the Town Manager or the Mayor by announcing such declaration on the local radio station, WSWV, and by placing notice of such declaration in the next edition of the Powell Valley News and the Kingsport Times News.

§ 175-22. Violations and penalties.

Any person or business found to be in violation of any section of this article shall be convicted of a misdemeanor offense punishable by confinement in jail for not more than six months and a fine of not more than \$1,000, either or both.

§ 175-23. Contingency plan.

- A.** Upon declaration of the emergency by either the Town Manager or the Mayor, when the total water stored in the Town storage facility reaches 450,000 gallons (depth of 18 feet), all private car washing, street washing, watering of lawns, gardens, etc., building or window washing, and swimming pool operation will be ceased immediately.
- B.** When the amount of reserve water reaches 400,000 gallons (depth of 16 feet), the following additional limitations are imposed, and each affected person/business will be notified by either the Town Manager or the Mayor.
- (1) Manufacturing or processing facilities: Production using Town supplied water will be strictly limited to 50% of average weekly water usage as determined by the previous two billings showing on the Town water books. A written plan of operation schedules necessary to reach this curtailment will be submitted to the Town office upon receipt of notice to do so.
- (2) Food outlets and restaurants: hours of operation limited to eight hours a day and a maximum of 40 hours a week. A written plan of operating hours will be filed with the Town office to allow checks on operation.
- (3) Schools, hospitals, and nursing homes: required to use all disposable paper goods possible in preparation and serving of all meals; notice to either the Town Manager or the Mayor is required as pertains to the plan of action taken.
- (4) Beauty shops, barber shops, health spas, laundries, pet shops, and car washes: hours of operation limited to 32 hours a week maximum. A written plan of operating hours will be filed with the Town office to allow checks on operation.
- (5) Upon receipt of the notification, the plans of action described above must be filed within 48 hours. Violators of the plan filing deadline will be closed immediately until a plan is submitted. Violations of the submitted plan on file will be punished as stated under the penalties section of this article as listed above.
- C.** When the amount of reserve water reaches 300,000 gallons (depth of 12 feet), the following additional limitations are imposed, and affected businesses/persons will be notified by either the Town Manager or the Mayor.
- (1) Manufacturing or processing facilities: production using Town water prohibited.
- (2) Food outlets and restaurants: hours of operation limited to four hours a day or 20 hours a week maximum. A written plan of operating hours will be filed with the Town office to allow checks on operation.
- (3) Beauty shops, barber shops, health spas, laundries, pet shops, and car washes: hours of operation limited to 16 hours a week maximum. A written plan of operating hours will be filed with the Town office to allow checks on operation.
- (4) Motels: restricted to rental of 50% of available rooms on any given night. A written plan of operation will be filed with the Town office to allow checks on operation.
- (5) Upon receipt of the notification, the plans of action described above must be filed within 48 hours. Violators of the plan filing deadline will be closed immediately until the plan is submitted. Violations of the submitted plan on file will be punished as stated under the penalties section of this article as listed above.
- D.** When the amount of reserve water reaches 250,000 gallons (depth of 10 feet), all commercial and institutional customers (including schools) will be cut off, and only

residential customers, multi-family dwellings, hospitals, nursing homes, and Fire Department uses will be allowed.

- E.** This procedure will be utilized in reverse order as the storage facility begins to refill, and notification will be given to each person/business affected.
- F.** Fines received (less costs) due to use of this contingency plan will be used to offset any costs incurred from attempting to abate the water shortage (such as hauling water, temporary pumps, lines, etc.), with any surplus set aside in a special fund for future expansion of water facilities.