

MONTREAT CODE OF GENERAL ORDINANCES

CHAPTER E - UTILITIES

ARTICLE I: WATER & SEWER

(Revised 3/12/2009)

Section 1. Board to Regulate Water. The water system of the Town shall be under the control of the Board or its authorized agent, which shall have the duty of prescribing and enforcing full compliance with all the rules and regulations governing all connections with the water system.

Section 2. Metropolitan Sewerage District (MSD) to Regulate Sewer. The Town's sewer system operates under the jurisdiction of the Metropolitan Sewerage District of Buncombe County, North Carolina (MSD), on behalf of the Town.

Section 3. Permit for Connection Required. No Person or Entity shall connect with the water system of the Town until he/she/it has made written application for permission to the Town Administrator for such connection, paid the appropriate application and tap fee and received approval for such connection. This application shall be made before any part of the sewer system of a building or other connection shall be laid or constructed and the application shall be accompanied by a plan or drawing which states the name of the Street where the building is located and the name of the Person or Entity and shows the location of the building and entire proposed connection to a sewerage system through the building to its terminus and the location of all of the fixtures, traps, ventilating pipes, etc.

Section 4. Separate Connections Required. Each building shall have separate water and sewer connections.

Section 5. Water and Sewer Required. All owners of improved property within the Town limits shall connect with the public water system for water intake purposes. All owners of improved property within the Town limits shall be required to connect to the sanitary sewer system of the Metropolitan Sewerage District.

Section 6. Private Wells and Septic Systems. The owners of any improved property located in the Town shall connect to the public water line and MSD sewer line in accordance with this Ordinance and MSD requirements.

Section 6. Privies and Septic Tanks Regulated.

- 1) No privy of any kind shall be permitted in the Town.
- 2) Existing septic systems installed prior to the revision of this ordinance must be pumped and serviced at the recommended intervals, as specified by the Buncombe County Health Department. For typical residential systems serving

Montreat General Ordinances
Chapter E – Utilities
Article I: Water & Sewer
Rev. 9/08/2011

fewer than four people, the recommended interval is five (5) years. For typical residential systems serving four or more people the recommended service interval is three (3) years. The Zoning Official, with consultation from the property owner and the Buncombe County Health Department, shall determine the service interval for each septic system. Proof the service must be filed with the Zoning Official within 30 days of the service.

- 3) The Zoning Official shall maintain a list of all the septic systems installed in the Town along with a record of the maintenance performed on each system. Property owners shall be fined if they do not perform the recommended pumping and service within 30 days from the time the service is due, as defined in Subsection 6.2 above. The fine shall be two hundred dollars (\$200) each day, plus the cost of any clean-up activities caused by the septic system.

Section 7. Use of Town Water.

- 1) No Person or Entity shall supply or sell water to other Persons or entities, nor shall any Person or Entity take or carry away water from any hydrant, watering trough, or public fountain.
- 2) The fire hydrants are for the use of the Fire Department for fighting fires and are not to be used by an unauthorized Person for any purpose, without written permission from the Board.

Section 8. Water and Sewer Rates.

- 1) Water rates and water connection charges shall be determined from time to time by the Board and shall be kept on file in the office of the Town Administrator.
- 2) Sewer rates and connection charges shall be determined by the MSD.

Section 9. Tampering with or Obstructing Water and Sewer Lines Prohibited. No Person shall touch, tamper, or in any manner manipulate or turn the cut-offs on the water mains forming a part of the water system of the Town, nor shall any Person tamper with or harm in any manner whatsoever any water or sewer line, main or any appurtenance thereto. No Person shall throw or deposit any material or substance in any water or sewer line that will in any manner obstruct such line.

Section 10. Private Water Supply Regulated.

- 1) It shall be unlawful for any Person or Entity to furnish, supply, or provide for gain or profit, any water from a private well or pump in or to any dwelling house,

Montreat General Ordinances
Chapter E – Utilities
Article I: Water & Sewer
Rev. 9/08/2011

boarding house, inn, hotel, cafe or other commercial establishment, or any room or rooms of the same, when said dwelling house or any room or rooms therein are rented, or offered for rent to the public, or when said boarding house, inn, hotel, cafe, or other commercial establishment is open to, or used by, the public, unless and until an analysis of the water from such private well or pump shall have first been submitted to and approved by the Building Inspector.

- 2) The water analysis referred to in Sub-Section (1) hereof shall be made by or under the direction of the Buncombe County Health Department or the Department of Public Health of the State of North Carolina.
- 3) If said water analysis bears the approval of either of the authorities referred to in Sub-Section (2) hereof, the Building Inspector shall approve the same. If, however, the analysis shows that the water is contaminated and unfit for human consumption, the Building Inspector shall not approve said analysis.

Section 11. Director of Public Works. The Director, or his/her assistant, shall at all reasonable hours have free access to all buildings or structures in the Town for the purpose of examining hydrants, fixtures or connections on which Town water pressure is maintained.

Section 12. Work on Water System. All work on the water system and all connections or disconnections thereto shall be performed by authorized Employees of the Town, or by plumbers approved by the Town. All work shall be performed in accordance with the Plumbing Code of the State of North Carolina and such amendments thereto that the Board may from time to time adopt.