

South Georgia Fire District

Rules, Regulations, Rates & Charges

The Prudential Committee of the South Georgia Fire District (SGFD), a municipality formed and existing pursuant to Chapter 171 of Title 20 Vermont Statutes Annotated and No. M-18 of the Acts of 1992, hereby adopt the following rules, regulations, rates and charges under authority of 24 V.S.A. §3313, which may be amended from time to time as deemed necessary to provide for the operation, maintenance and protection of the SGFD public water system.

Section 1: **Definitions.** The following definitions shall apply when interpreting these rules, regulations, rates and charges.

1.1 "SGFD" shall refer to South Georgia Fire District.

1.2 The word "lot" shall mean and refer to any improved or unimproved lot now or hereafter existing within the boundaries of the SGFD. Lots presently within the boundaries of the SGFD are shown on a map entitled "South Georgia Fire District, Georgia, Vermont - Existing Water System" prepared by Donald L. Hamlin Consulting Engineers, Inc., Essex Junction, Vermont and dated 1/30/93.

1.3 The word "owner" shall mean and refer to any individual, firm, corporation, partnership, or other person or entity owning or having an ownership interest in a lot.

1.4 "Water System" shall mean and refer to the public water system operated by and for the benefit of the SGFD, as well as all additions and improvements thereto.

2.1 **Services Provided by the SGFD.** The SGFD was formed to acquire, upgrade, operate and maintain the water system to provide domestic use to the owners within the SGFD, and to other extraterritorial users under certain circumstances.

3.1 **Acceptance of Service by Owners.** All SGFD owners, not served by their own wells as of December 31, 1993, shall be provided with water for domestic use by SGFD. Each and every lot connected to the SGFD public water system as of December 31, 1993 shall remain connected to and served by said public water system. Each owner served by the SGFD public water system as of December 31, 1993 shall pay the annual rate and all other applicable charges. In addition all lessees, invitees, contractors, and others occupying or working on an owner's lot shall be subject to these rules and regulations.

3.2 **Interference With Water Supply.** Any person who by any means whatsoever, including the drilling of an artisan well or development of alternate private supplies, shall in any way interfere with the SGFD public water system or any component thereof, including water sources, groundwater or aquifers, shall be liable for monetary damages and/or injunctive relief as provided in 10 V.S.A. §1410 and 24 V.S.A. §3307, as well as any other penalty imposed by law.

4.0 **Application Procedure for Water Service.** No person shall uncover, make any connection to, or opening into, use, alter or disturb any public water system line or component

without first obtaining written permission from the Prudential Committee. Any owner of a lot within the SGFD who intends construction thereon shall first apply to the Prudential Committee of the SGFD to connect to the public water system. The applicant shall indicate the lot to be served, the extent of service requested and all other pertinent information. The SGFD may require as a condition of water service a bond, escrow account, or other form of security to ensure that operations of the water system in not jeopardized and that connection is made in accordance with conditions and specifications established by the Prudential Committee. No connection shall be placed into service until tested and approved by the Prudential Committee.

4.1 **Policy for Adding New Users.** Water service connections in excess of the number recommended by the then-current engineering study will not be allowed. If the application is approved by the Prudential Committee, owners making connections within the SGFD where distribution lines exist win pay all charges incurred in making the service connection from the curbstop to the residence. Owners making connections- within-the-SGFD where distribution lines DO NOT exist will pay for the installation of the distribution line plus all costs incurred in making the service connection from the curb-stop to the residence. In both cases charges to the new connections will include the purchase and installation of an approved water meter. All work must be done to comply with state, local and Prudential Committee regulations and standards including those promulgated under the Vermont Water Supply Rule. New connections outside the SGFD will be subject to all the same financial responsibilities and application, and approval requirements as those within the SGFD. The owners of extraterritorial lots connected to the SGFD public water system shall record written notice of such connection in appropriate land records, and shall acknowledged that such lot is impressed with a lien in favor of SGFD for water service charges.

4.2 **Prudential Committee Approval.** Any expansion of, addition to, or any work undertaken on, affecting, or adjacent to the public water system or any component thereof must be approved by the Prudential Committee.

4.3 **System Extensions.** Extension of water service beyond the limit of the public water system in place at time of application for service shall be undertaken and completed in conformance with Public Water System Regulations enacted by the Secretary of the Agency of Natural Resources and any applicable municipal ordinances and bylaws.

- a. All distribution line extensions shall be a minimum pipe size of eight (8) inch diameter unless waived by the Prudential Committee and shall be extended to the furthest boundary line of the development property at a location within a public right-of-way or any easement providing for future extension of the system.
- b.

There shall be no reimbursement of costs to any person extending any public water or line, unless approved in advance of construction by the Prudential Committee.

- c. Extensions of the public water system shall be designed, inspected, tested and written certification completed upon installation by a qualified professional engineer licensed in Vermont. Construction shall be done only by firms experienced in the construction of municipal water systems. The determination of qualifications shall be made by the Prudential Committee.
- d. Looping of water lines shall be encouraged wherever feasible.
- e. As built plans shall be submitted to Prudential Committee upon completion of the distribution line extension.

4.4 **Service Connection.** The owner shall be responsible and shall provide for all service line installation excavation from the curb-stop to the structure. The owner shall indemnify SGFD from any loss or damage caused by or resulting from the installation and use. of a water service connection, including backflow prevention devices.

Section 5: **S.G.F.D's Installation and Maintenance Responsibilities.** The SGFD shall be responsible for installing, operating, maintaining, and replacing as necessary the primary components of the water system from the wells to and including the curb-stop shut off valve, except that the cost of extensions shall be paid for as provided herein. All costs of acquisition and installation of the primary components of the water system shall be paid for by the SGFD and shall become the property of the SGFD. The SGFD, and its Prudential Committee, shall incur no liability for quantity or quality deficiency of the water delivered to the owners provided that such deficiency is not the result of or caused by the willful neglect or unlawful act of any SGFD official. All distribution line extensions located within SGFD or extraterritorially shall be the property of SGFD upon the completion thereof and being placed into service.

Section 6: **Owner's Installation and Maintenance Responsibilities.** Each owner shall be responsible for installing, operating, maintaining, and replacing as necessary the secondary components of the water system from the customer side of the curb-stop shut off valve into the residence or other building including all inside pipes, fixtures, and equipment, together with a water meter of a type approved by the SGFD Prudential Committee. Each structure on a lot shall be directly connected to a water system distribution main; indirect connections through privately-owned secondary service lines shall not be permitted.

Section 7: **Right of Entry and Inspection by the SGFD.** The SGFD and its officers, employees, contractors, and other authorized persons shall have an ongoing unrestricted right of entry and access to each lot and structure for the purpose of inspecting and operating the water system and all connections thereto and use thereof in a responsible manner. The SGFD shall exercise the right of entry in a good and careful manner, and upon advance notice to the owner or occupier of the premises.

Section 8: **Rates and Charges.** Each owner shall pay rate and charges sufficient to cover annual costs and expenses of the public water system, including debt service and reserves. Payment rates and charges, together with any related costs or expenses as provided hereafter, shall be in accordance with the following conditions:

8.1 **Annual Rates.** The annual rate for. water service shall be established by the Prudential Committee prior to the annual meeting of the SGFD. Payment and collection thereof shall be secured by a lien upon all lots connected to the water system. This will be a flat rate until all connections are metered. Thereafter a metered rate will be used. Nevertheless, the Prudential Committee may establish a capacity or standby charge that will be payable regardless of usage, as well as a connection charge to defray the costs and expenses incurred by the District in considering, approving and inspecting new connections.

8.2 **Billing.** Billing will be done on a quarterly basis. Bills will be sent on approximately Jan. 1, Apr. 1, July 1, and Oct. 1. Every owner is responsible for payment whether a bill is received or not. Bills are overdue 30 days from the billing date. Billing adjustments for lawful reasons may be made by the Prudential Committee or by the Tax Collector with approval from the Prudential Committee.

8.3 **Late Payment and Collection.** The Tax Collector for the SGFD may charge a fee of eight percent (8 %) each delinquent account as compensation for collection services, which fee shall not be less than \$15.00 per delinquent quarterly account. This fee, together with interest computed at the rate of one percent (1 %) per annum for the first three (3) months, or part thereof, the account shall be delinquent, and thereafter at the rate of one and one-half percent (1 1/2 %) per annum, must be paid in full along with all past due charges owed the SGFD before the owner's account will be considered paid in full.

Section 9: **Discontinuance of Service.** Water service may be disconnected for any of the following reasons:

9.1 **Waste of Water.** Water usage not allowed such a filling pools, prohibited uses as deemed necessary by the Prudential Committee or leaks in the secondary components under the control of the owner.

9.2 **Delinquent Charges.** Failure to pay all water charges and rates when due.

9.3 **Willful Damage or Misuse.of the Water System.**

Section 10: **Disconnection Procedure.** In addition to all other remedies allowed by law, water service may be disconnected for non-payment of rates and charges in the manner provided in 24 V.S.A., Ch.129

Section 11: **Standards and Specifications.** In the absence of provision in Regulations promulgated under the Vermont Water Supply Rule, the materials, procedures and specification, of the National Plumbing Code, Ten State Standards for Water Mains, and AWWA Standards, all current editions, shall apply with respect to these Rules.

Adopted at Georgia, Vermont on this 18th day of January, 2001 by the South Georgia. Fire District Prudential Committee.

Robert Polard
Steve Curran
Janet Hallups
Arli Latta

Jeffrey Vance

Recorded this 18th day of January, 2001 in the records of the South Georgia Fire District.
[Signature]
District Clerk