

**RULES AND REGULATIONS OF  
BEAUFORT COUNTY WATER SYSTEMS (BCW)**

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**I. CLASSIFICATION OF SERVICE**

- A. RESIDENTIAL – water used for a dwelling, or a home where people live. May be single family homes, apartments, co-operatives, townhouses, and any other place where people sleep, eat, and reside.
- B. COMMERCIAL - -water used for motels, hotels, restaurants, office buildings, other commercial facilities, and institutions.
- C. INSTITUTIONAL – water serving a society or organization founded for a religious, educational, social, or similar purpose.
- D. INDUSTRIAL -water used for industrial purposes in such industries as manufacturing, steel, chemical, paper, and petroleum refining.
- E. MUNICIPAL - a water system that has at least five service connections or which regularly serves 25 individuals for 60 days; also called a public water system.

**II. RATE SCHEDULE AND FEES**

- A. Fees shall be as shown in the Fee Schedule approved as part of the annual budget process.
- B. The Fee Schedule shall be valid from the effective date shown until it is superseded.

**III. APPLICATION FOR SERVICE**

- A. Service will be supplied only to those who have:
  - 1. Driver’s License (or other governmental issued ID)
  - 2. Telephone Number
  - 3. Documents proving right to policy (ownership or lease agreement)
  - 4. Properly executed a User Agreement.
  - 5. Paid appropriate Tap Fee or Change of Occupancy Fee.
  - 6. Paid a security deposit or have been a previous customer of BCW in good standing.

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- B. Application for service shall be made in person at the office of the BCW or via electronic communication. Application shall be made only by land owner unless proof of residency is provided (rental agreement).
- C. Application for new service shall be accompanied by a deposit in the amounts shown in the Fee Schedule and the appropriate tap-on fee. The deposit shall not apply to existing water customers with zero late payments paying for a new service. If social security number or Federal Tax ID number is not provided, deposit collected shall be double normal fee.
- D. Deposits are refundable upon termination of service and settlement of all accounts.
- E. Deposits are non-interest bearing.
- F. Tap-on fees are non-refundable, except in cases where tap was not be made.
- G. During specially designated "sign-up" period for proposed new construction, the deposit shall be waived.
- H. The individual whose name is on the account shall be responsible for payment of all bills incurred in connection with the service furnished.
- I. The deposit receipt is not negotiable and can be redeemed only at the BCW office.
- J. When BCW finds that the request for a deposit refund is questionable, BCW may require the refund applicant to produce the deposit receipt properly endorsed.
- K. BCW may reject any application for service if BCW cannot provide a service at a standard cost or if said service may affect the supply of water to existing customers, or for any other good and sufficient reasons deemed necessary by the BCW Board of Commissioners.
- L. BCW may reject any application for service when the application is delinquent in payment of bills incurred for service previously supplied at any location.

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M. When a consumer has been served water and has not made payment in full meeting Early Signup Campaign obligations, BCW shall not be required to render service to any other consumer at said location where the water was used until the Early Signup Campaign obligation has been paid in full.

**IV. MINIMUM CHARGE**

A. The minimum charge, as provided in the rate schedule, shall be made monthly for each meter installed, regardless of location and use.

B. When service is furnished to a consumer during certain months only, the minimum charge per service per month for the period of non-use shall be the regular minimum as set out in the published rate schedule of BCW.

C. Each service must be separately metered at a single delivery and metering point.

**V. BEAUFORT COUNTY WATER SYSTEM'S RESPONSIBILITY AND LIABILITY**

A. BCW shall run a service line from its distribution line to the property line where the distribution line runs immediately adjacent and parallel to the property to be served, and for which a tap-on fee then in effect for each size of meter will be charged.

B. BCW shall provide an angle stop, meter, tail piece, dual check valve, MXU, and a meter box for  $\frac{3}{4}$ " or 1" residential meters. If backflow protection is required, BCW shall provide angle stop, meter, MXU, and meter box. BCW may install its equipment at the property line or, at BCW's option, on the consumer's property or in a location mutually agreed upon, if an easement is provided to BCW.

C. In high risk cases, a reduced pressure backflow prevention device shall be required at the discretion of BCW, the cost of which shall be borne by the consumer. The cost of the reduced pressure backflow preventor and all appurtenances shall be in addition to the regular tap on fee.

D. BCW may install its meter at the property line or, at BCW's option, on the consumer's property.

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- E. Multi- residential users shall not be provided service through a single meter. When two or more meters are to be installed on the same premises for different consumers, they shall be closely grouped and each clearly designated to which consumer it applies.
- F. BCW does not assume the responsibility to inspect the consumer's piping or apparatus and will not be responsible therefore.
- G. BCW Reserves the right to view consumer's piping and to refuse service unless the consumer's line or piping are installed in such manner as to prevent cross-connection or backflow.
- H. BCW shall not be liable for damage of any kind whatsoever resulting from water or the use of water on the consumer's premises. BCW shall not be responsible for any damage done by or resulting from any defect in the piping, fixtures or appliances on the consumer's premises. BCW shall not be responsible for negligence of third persons or forces beyond the control of the BCW resulting in any interruption of service.
- I. Under normal conditions, the consumer will be notified of any anticipated interruption of service.

**VI. CONSUMER'S RESPONSIBILITY**

- A. Piping on the Consumer's premises must be so arranged that the connection is conveniently located with respect to BCW's lines.
- B. Where meter is to be placed on the premises of a consumer, a suitable place shall be provided by the consumer for placing such meter-unobstructed and accessible at all times to BCW personnel. Obstructions shall include any items that limit access to the service piping or meter box, including but not limited to concrete, asphalt, rock, fencing, etc. The cost of removing obstructions plus 20% shall be the consumer's responsibility and added to the Consumer's bill if removed by BCW.
- C. The Consumer shall furnish and maintain a private cutoff valve on the consumer's side of the meter; said valve shall be within three (3') feet of the meter.

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D. The Consumer's piping and apparatus shall be installed and maintained by the Consumer at the Consumer's expense in a safe and efficient manner and in accordance with BCW's rules and regulations and in full compliance with the sanitary regulations of the Public Water Supply Section of the North Carolina Department of Environmental Quality. Consumer shall maintain piping so that it is ready for water at all times. BCW shall not be liable for damage of any kind whatsoever resulting from water or the use of water on the consumer's premises. BCW shall not be responsible for any damage done by or resulting from any defect in the piping, fixtures or appliances on the consumer's premises.

E. The Consumer shall disconnect all other sources of water and/or associated piping from the piping connected to BCW's meter. Said piping shall be physically disconnected by a minimum one (1') foot separation.

F. The Consumer shall guarantee proper protection for BCW's property placed on the consumer's premises and shall permit access to it only by authorized representatives of BCW.

G. In the event that any loss or damage to the property of BCW or any accident or injury to persons or property caused by or resulting from the negligence or wrongful acts of the Consumer, his agents or employees, the cost of the necessary repairs or replacements shall be paid by the Consumer to BCW and any liability otherwise shall be assumed by the Consumer.

H. The amount of such loss or damage or the cost of repairs shall be added to the Consumer's bill; and if not paid, service may be discontinued by BCW.

I. The Consumer under no circumstances shall access BCW's distribution system or any appurtenances thereof except through a metered service, said service being acknowledged by BCW.

J. The Consumer shall not connect a pump to a hydrant or any metered service or connected piping for any purpose whatsoever.

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**VII. SYSTEM EXPANSION**

- A. Privately Financed Water Line Extensions will be allowed by following the Privately Financed Water Line Extension Policy. A Privately Financed Water Line Extension Policy may be obtained from BCW.
- B. Other Extensions
  - 1. The plans for the extension will be submitted for review and approval by BCW, its engineer and the Public Water Supply Section of the North Carolina Department of Environmental Quality.
  - 2. The lines will be installed in accordance with the approved plans.
- C. Flushing Hydrants
  - 1. New hydrants must be installed in accordance with Privately Financed Water Line Extension Policy and plans for the hydrant must be submitted for review and approval by the County Water Department, its engineer and the Public Water Supply Section of the North Carolina Department of Environmental Quality. All permits must also be obtained by requestor.
  - 2. All costs shall be paid by requestor and shall be per the current Fee Schedule.

**VIII. ACCESS TO PREMISES**

- A. Duly authorized agents of BCW shall have access at all reasonable hours to the premises of the customer for the purpose of installing or removing BCW property, inspect piping, reading or testing meters or for any other purpose in connection with the BCW service and facilities.
- B. Each consumer shall grant or convey or shall cause to be granted or conveyed, to BCW a perpetual easement and right of way across any property owned or controlled by the consumer wherever said perpetual easement and right of way is necessary for BCW water facilities and lines to be able to furnish service to the consumer.

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**IX. CHANGE OF OCCUPANCY**

- A. Not less than three days notice must be given in person or in writing, at BCW's office, to discontinue service for a change in occupancy.
- B. The outgoing party shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longer.
- C. A Change of Occupancy Fee as specified in the current Fee Schedule shall be paid at the time of application for service for new occupants who utilize existing meters for service.

**X. METER READING / BILLING / COLLECTING**

- A. Meters will be read, and bills rendered monthly. BCW reserves the right to vary the dates or length of period covered, temporarily or permanently if necessary or desirable.
- B. Bills for water will be calculated in accordance with BCW's published rate schedule then in effect and will be based on the amount consumed for the period covered by the meter readings.
- C. Charge for service commences when meter is installed, whether used or not.
- D. Readings from different meters will not be combined for billing, irrespective of the fact that said meters may be for the same or different premises, or for the same or different consumers, or for the same or different services.
- E. Bills are due by the due date on the most recent statement. Customers who have not paid their bill by the due date will incur a fee as shown on the current Fee Schedule. If the bill is not paid, service may be discontinued.
- F. BCW reserves the right to dictate required payment method after two in-sufficient fund transactions or credit card disputes.
- G. Failure to receive bills or notices shall not prevent such bills from becoming delinquent or relieve the consumer from payment.

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**XI. SUSPENSION OF SERVICE**

A. Upon discontinuance of service for nonpayment of bills, the deposit will be applied by BCW toward settlement of the account. Any balance will be refunded to the consumer; but if the deposit is not sufficient to cover the bill, BCW may proceed to collect the balance in the usual way provided by law for the collection of debts. This may include debt collection services and agencies.

B. Services discontinued for nonpayment of bills or at the voluntary request for suspension by a consumer will be restored only after bills are paid in full, redeposit made, and a service charge paid for each meter reconnected.

C. BCW reserves the right to discontinue its service without notice for the following additional reasons:

1. To prevent fraud or abuse.
2. Consumers willful disregard of BCW's rules.
3. Emergency repairs.
4. Insufficiency of supply due to circumstances beyond BCW's control.
5. Legal procedures.
6. Direction of public authorities.
7. Strife, riot, fire, flood, accident or any unavoidable cause.
8. Failure of customer to pay sewer utility bills owed to other government entities as defined in Intergovernmental Agreements with Beaufort County.

D. BCW may, in addition to fees, civil penalties, and prosecution by law, permanently refuse service to any consumer who tampers with a meter, measuring device, or distribution system.

E. Tamper "means to rearrange, injure, alter, interfere with, or otherwise prevent from performing a normal or customary function." Per the North Carolina General Statute 14-151.1, it is illegal for any unauthorized person (including a licensed plumber) to alter, tamper with, relocate, willfully damage, or bypass a water meter provided by the County for the purpose of measuring and registering water consumption. In accordance with this statute, no one shall:



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1. In any way disable, alter, prevent or destroy a meter, meter register, or other appurtenances that interrupt or interfere the meter from accurately performing its measuring function and registering of water usage.
2. In any way alter, cut or remove the meter index seal.
3. Connect any tube, pipe, wire, or other instrument to divert water with the intent to defraud or deprive BCW from receiving proper charges or payment for the stolen water.
4. Operate, alter, or prevent the action of a meter, any valves on the distribution system or stopcock.
5. Opening valves at the curb, hydrants or meter that have been turned off by BCW personnel.
6. Tamper with any property owned and used by BCW to provide service.
7. Move from one location to another a meter without the permission of BCW.
8. Take a meter belonging to BCW that has not been assigned to the location, installed, and authorized for use by BCW.

F. BCW reserves the right to adjust the customer's current bill and the bills for the past 12 months water usage upon evidence of violation or as determined by BCW of occurrence of theft of service. If the estimated amount of service that was stolen cannot be reasonably determined, the customer's usage will be set at two to four times the minimum bill, as determined on a case-by-case-basis by the BCW, according to the facts of each case.

## **XII. COMPLAINTS / ADJUSTMENTS**

A. If a consumer believes his bill to be in error, he shall present his claim, in person, at BCW's office before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest and said payment shall not prejudice his claim.

B. BCW will make special in-person meter readings at the request of the consumer for a fee per the current Rate Schedule. If such special reading discloses that the meter was over-read, no charge will be made.

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- C. Meters will be tested at the request of the consumer upon payment to the per the current Fee Schedule if the meter is found to over register beyond 4% of the correct volume, the fee received will be credited to the account no charge will be made and an adjustment for the over-read will be given for the two highest usages in the prior 12 months.
- D. If the meter fails to register correctly or is stopped for any cause, the consumer shall pay an amount estimated from the prior 12 months usage. For accounts less than 12 months, the usage will be based on the average monthly use to.
- E. Upon request a consumer's bill may be adjusted due to a leak. Adjustments must be requested prior to the due date of the bill. No customer may receive more than one adjustment in a 36-month period regardless of service address.
- F. The consumer must contact the Water Department and request a leak adjustment.
- G. The consumer must have at least a 25% increase in his/her bill over the previous month. The adjustment is limited to a maximum of two billing cycles.
- H. The consumer must verify in writing that they have fixed the leak.

**XIII. RESTRICTIONS**

- A. Impact on Floodplains and Wetlands
  - 1. BCW will neither install a new water service nor agree to otherwise provide water service to any structure, dwelling, building or other improvement which is located in whole or in part within designated floodplains and wetlands and which is not already existing, and completed on or before final completion date and placement in operation of water lines serving said floodplain and wetland areas.

**XIV. ABRIDGEMENT OR MODIFICATION OF RULES**

- A. No promise, agreement or representation of any employee of BCW shall be binding upon BCW except as it shall have been agreed upon in writing, signed and accepted by the acknowledged officers of BCW.

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B. No modification of rates or any of the rules and regulations shall be made by any agent of BCW.

**NORTH CAROLINA BEAUFORT COUNTY**

I, Katie Mosher, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and verified copy of a resolution adopted by the Beaufort County Board of Commissioners in regular session on \_\_\_\_\_.

\_\_\_\_\_  
Katie Mosher, Clerk to the Board