

# WATER USE POLICY



Town of Ellenboro  
North Carolina

**TABLE OF CONTENTS**

**ARTICLE 1 - TITLE**

1.1 Title ..... 1-1  
1.2 Purpose ..... 1-1

**ARTICLE 2 – AUTHORITY AND JURSDICTION**

2.1 Authority ..... 2-1  
2.2 Jurisdiction ..... 2-1  
2.3 Severability ..... 2-1  
2.4 Waivers ..... 2-1  
2.5 Amendments ..... 2-1  
2.6 Application ..... 2-1  
2.7 Abridgement of Modification of Rules ..... 2-1  
2.8 Effective Date ..... 2-2

**ARTICLE 3 – DEFINITIONS**

3.1 Word Interpretation ..... 3-1  
3.2 Definitions ..... 3-1

**ARTICLE 4 – APPLICATIONS, FEES AND BILLING**

4.1 Application for Service ..... 4-1  
4.2 Rate Schedule and Tap-On Fee ..... 4-2  
4.3 Meter Reading - Billing - Collection ..... 4-2  
4.4 Adjustments ..... 4-4

**ARTICLE 5 – RESPONSIBILITY AND LIABILITY**

5.1 Town’s Responsibility and Liability ..... 5-1  
5.2 Access to Premises ..... 5-1  
5.3 Prohibited Activities ..... 5-1  
5.4 Change of Ownership ..... 5-2  
5.5 Meter (Water Service) Cut-Off and Cut-on ..... 5-2

**ARTICLE 6 - TERMINATION OR INTERRUPTION OF SERVICE**

6.1 Termination ..... 6-1  
6.2 Interruption ..... 6-1  
6.3 Notification ..... 6-1

## **ARTICLE 1 – TITLE AND PURPOSE**

### **1.1 Title**

This Policy shall be known under the general title of, referred to, cited as the Water Use Policy for the Town of Ellenboro, North Carolina, and may be referred to as the Water Use Policy.

### **1.2 Purpose**

The purpose of this policy is to promote the public health, safety, and general welfare of the citizens of the Town of Ellenboro. It is further intended to provide for administration and enforcement of the policy and to provide penalties for its violations.

## **ARTICLE 2 – AUTHORITY AND JURISDICTION**

### **2.1 Authority**

This Policy is adopted under the authority granted by North Carolina General Statutes 160A-312.

Wherever any provision of this Policy refers to or cites a section of the North Carolina General Statutes and that section is later amended or superseded, this Policy shall be deemed amended to refer to the amended section, or the section that most nearly corresponds to the superseded section.

### **2.2 Jurisdiction**

The provisions of this Policy shall apply throughout the Town of Ellenboro corporate limits and extraterritorial jurisdictions, as may be modified from time to time.

### **2.3 Severability**

Should any section or provision of this Policy be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Policy as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

### **2.4 Waivers**

Where, because of severe topographical or other conditions peculiar to the site, strict adherence to the provisions of this Policy would cause an unnecessary hardship, the Town Board of Alderman may, on recommendation of an Attorney, authorize a waiver to the terms of this Policy only to the extent that is absolutely necessary and not to the extent which would violate the intent of this Policy.

### **2.5 Amendments**

The Town Board of Alderman may from time to time amend terms of this Policy.

### **2.6 Applications**

It is not intended that this Policy repeals, abrogates, annuls, impairs, or interferes with the existing easements, covenants, deed restrictions, agreements, rules, or regulations previously adopted or issued pursuant to law. However, where this Policy imposes greater restrictions, the provisions of this Policy shall govern.

### **2.7 Abridgement or Modification of Rules**

- 1) No promise, agreement, or representation of any employee or agent of the Town shall be binding upon the Town except as it shall have been agreed upon on writing, signed, and accepted by the Board of Alderman.

- 2) Acceptance by the Town may only be accomplished by a majority vote of the Town Board of Alderman, sitting in open session.

**2.8 Effective Date**

This Policy was originally approved on 8 January 2022. Effective dates to Items, Rates and Fees after January 8 are noted.