

WATER RULES AND REGULATIONS
CHARLESTON WATER SYSTEM
OF THE CITY OF
CHARLESTON, SOUTH CAROLINA



Doc. No.: W/WW 4.4.6-02 (December 20, 2011)

Document Distribution
Controlled Original — Chief Executive Officer
All other copies are uncontrolled.

**Charleston Water System
Water Rules and Regulations**

COMMISSIONERS

THOMAS B. PRITCHARD, ESQ. CHAIRMAN
DAVID E. RIVERS..... VICE CHAIRMAN
WILLIAM E. KOOPMAN, JR. COMMISSIONER
HONORABLE JOSEPH P. RILEY, JR..... MAYOR
DEAN C. RIEGEL COUNCIL MEMBER

OFFICERS

F. KIN HILL, Jr., PE
CHIEF EXECUTIVE OFFICER

DOROTHY G. HARRISON
CHIEF ADMINISTRATIVE OFFICER

MARK F. CLINE, PE
CAPITAL PROJECTS OFFICER

ANDREW W. FAIREY
CHIEF OPERATING OFFICER

J. WESLEY ROPP, CMA
CHIEF FINANCIAL OFFICER

APPROVAL DATES AND AMENDED DATES

APPROVED AND ADOPTED NOVEMBER 10, 1998

AMENDED NOVEMBER 23, 1999

AMENDED FEBRUARY 22, 2000

AMENDED JULY 1, 2001

AMENDED JUNE 1, 2002

AMENDED SEPTEMBER 30, 2004

AMENDED NOVEMBER 27, 2007

AMENDED JUNE 25, 2008

AMENDED NOVEMBER 25, 2008

AMENDED DECEMBER 22, 2009

AMENDED MAY 31, 2011

AMENDED DECEMBER 20, 2011

**Charleston Water System
Water Rules and Regulations**

TABLE OF CONTENTS

<u>SECTIONS</u>	<u>PAGE NO.</u>
SECTION A. Authorization of Rules	1
SECTION B. Application of Rules	2
SECTION C. Definitions	3
SECTION D. Records and Reports	9
SECTION E. Schedule of Rates	10
SECTION F. Customer Relations	11
SECTION G. Tapping Mains, Service Pipe and Connections	19
SECTION H. Cross-Connection Control	21
SECTION I. Metered Water Supply Service	30
SECTION J. Customer Billing	34
SECTION K. Adjustments and Refunds	39
SECTION L. Delinquent Accounts	42
SECTION M. Turn-On and Shut-Off	43
SECTION N. Inspection of Premises	44
SECTION O. Leaks and Waste	45
SECTION P. Irrigation	46
SECTION Q. Fire Protection Services	47
SECTION R. Public Fire Hydrants	50
SECTION S. General	51
SECTION T. Water Distribution System Extensions	54
SECTION U. Penalties	56
SECTION V. Validity	57
SECTION W. Powers and Authorities	58
SECTION X. Appeals Procedure	59
SECTION Y. Resolution in Force	60

**Charleston Water System
Water Rules and Regulations**

TABLE OF CONTENTS

<u>EXHIBITS</u>	<u>PAGE</u>
<u>NO.</u>	
EXHIBIT "A"	Schedules of Rates for Retail Treated Water Service 61
EXHIBIT "B"	Minimum Charges 62
EXHIBIT "C"	Dedicated Fire Protection Service 63
EXHIBIT "D"	Water Tap Fees 64
EXHIBIT "E"	Service Charges 65
EXHIBIT "F"	Transient / Non-Transient Water Use Policy .. 66
EXHIBIT "G"	Wholesale Water Rates 67
EXHIBIT "H"	Penalties 68
EXHIBIT "I"	Impact Fees ... 69
EXHIBIT "J"	Drought Management Plan and Response Regulation..... 70

**Charleston Water System
Water Rules and Regulations**

SECTION A.

AUTHORIZATION OF RULES

1. Section 5-31-250 of the Code of Laws of South Carolina, 1976, provides: "The Board of Commissioners of Public Works for any city or town may purchase, build or contract for building any waterworks or electric light plant authorized under Article 7 of this chapter and may operate them and shall have full control and management of them. It may supply and furnish water to citizens of the city or town and also electric, gas or other light and may require payment of such rates, tolls and charges as it may establish for the use of water and light."

In accordance with the above provision, the Charleston Water System of the City of Charleston (Commission) has adopted a Resolution approving the following Rules and Regulations and fixed the following standards to govern its water service operations. All previous Rules or Standards are hereby revoked, annulled and superseded. (See Section Y.)

Disclaimer:

The adoption of these Rules and Regulations shall in no way preclude the Charleston Water System of the City of Charleston from altering, amending, or revoking them in whole or in part, or from requiring any additional service, equipment, facility, or standard, either upon complaint, or upon its own motion. Furthermore, these Rules shall not relieve the Commissioners of Public Work of the City of Charleston or its customers of any duties prescribed under the laws of this State.

**Charleston Water System
Water Rules and Regulations**

SECTION B.

APPLICATION OF RULES

1. ***Jurisdiction.*** These *Rules* shall apply to any customer which is now or may hereafter become engaged as a customer within the water service territory of the Charleston Water System of the City of Charleston.

2. ***Purpose.*** These *Rules* are intended to define good practice and establish operational requirements. They are intended to ensure adequate and reasonable service. The Commission shall assist the customer in the implementation of these *Rules and Regulations*.

3. ***Waiver of Rules.*** In any case where compliance with any of these *Rules and Regulations* introduces unusual difficulty, such *Rules* or *Regulations* may be waived by the Commission upon a finding by the Commission that such waiver is in the public interest.

**Charleston Water System
Water Rules and Regulations**

**SECTION C.
DEFINITIONS**

The following words and terms when used in these *Rules and Regulations* shall have the meaning indicated below:

1. **Apartment.** Shall mean any building containing two (2) or more residential units.
2. **Applicant.** The party, person(s), firm, corporation or association using water in any premise or for any other use supplied directly by the Commission; synonymous with "customer".
3. **Approach Mains.** Shall mean those water mains necessary to extend water service from existing Commission mains to a developer's property.
4. **Arrears.** Any charge that has been billed and is not paid from the original bill date.
5. **Auto Draft.** Pre-authorized agreement between customer and CWS to deduct amount of bill from customer's checking account.
6. **A.W.W.A.** American Water Works Association, or its affiliates.
7. **Backflow Preventer.** See Section H.
8. **Billing Period.** Typically the Commission shall use a standard 28 to 32-day billing period for all customers, except on finaled accounts and first-time accounts.
9. **Business.** Shall mean any building used by the occupant for amusement, entertainment, service, professional, retail trade or any other similar purposes, except as defined under "Commercial" and "Industrial".
10. **Ccf.** One hundred (100) cubic feet is equal to 748 gallons.
11. **CPW.** Abbreviation for Commissioners of Public Works of the City of Charleston, SC. (Synonymous with CWS). CPW conducts its business using its trade name, Charleston Water System or CWS.
12. **CWS.** Abbreviation for Charleston Water System a/k/a Charleston Commissioners of Public Works of the City of Charleston, SC. Charleston Water System or CWS is the trade name used by the Commissioners of Public Works of the City of Charleston organized pursuant to Section 5-31-210 of the Code of Laws of the State of South Carolina.
13. **City.** City of Charleston, South Carolina.

**Charleston Water System
Water Rules and Regulations**

14. **Commercial.** Shall mean any hotel, motel, lodge, tourist home, efficiency apartment, house or similar building operated primarily as a commercial enterprise for the purpose of rental and lodging on a daily or weekly basis. For determination of rates, each room or series of rooms made available to the general public as a separate entity for overnight accommodation shall be classified as a separate rental unit. Commercial may also mean any enterprise holding an active business license.
15. **Commission, or Commissioners, or CWS.** Shall mean the Commissioners of Public Works of the City of Charleston, South Carolina or CPW, d.b.a. Charleston Water System (CWS).
16. **Commissioners.** Shall mean those officials elected by the electorate of the City of Charleston pursuant to statute, as well as ex-officio members.
17. **Condominium.** Shall mean one (1) or more buildings containing two (2) or more single-family dwelling units, owned individually and not provided with access by public streets or roads, and sharing common ownership of elements such as pools, street lighting, landscaping and master utility connections.
18. **Contractor.** Shall mean any person(s) who installs or repairs water or water service systems.
19. **Cost-Effective.** Shall be as defined in CWS's Cost-Effectiveness Policy contained in Charleston CWS's *Water and Wastewater Policies, Procedures and Standards Manual*, latest revision.
20. **Curb Stop.** Valve-controlling water flow located on the utility service line. Curb stops are for the exclusive use of the Commission for control of the water supply to individual customers and should be located at or adjacent to the customer's property line, but should not be located on the customer's premises unless otherwise approved by the Commission. The control of the water supply by the customer shall be by means of a separate valve, installed by the customer, and located on his premises.
21. **Customer.** The party, person(s), business, firm, corporation, partnership, community, municipality association, or other legal entity using water in any premise or for any other use supplied directly by the Commission; synonymous with applicant.
22. **Customer Service Line.** The portion of the water conveyance system that transports water from the property line or water meter to the place of consumption on the customer's premises.
23. **Dedicated Fire Service.** An unmetered service providing water supply for usage in fire protection systems only. No commercial, domestic, industrial, or other water uses are allowed. (See definition of "Fire Service" for limits of CWS responsibility for fire services.)

**Charleston Water System
Water Rules and Regulations**

24. **Developer.** Shall mean any person(s) who subdivides a lot or parcel of land into two (2) or more lots.
25. **Development.** Shall mean any residential subdivision, real estate development, commercial, industrial or institutional complex.
26. **DHEC.** The South Carolina Department of Health and Environmental Control.
27. **Distribution System.** Shall mean the pipelines, valves, pumps, hydrants, tanks and all other associated appurtenances used to convey water within the public right-of-way or other prescribed easements.
28. **Dual-Purpose Service.** An individual metered service providing water supply for both fire protection and domestic/commercial usages simultaneously.
29. **Engineering Services Fee.** A non-recurring fee charged to developers or customers to fund the cost of reviewing developer and customer plans, specifications, design documents, sketches, calculations and providing other associated administrative services and construction inspection services associated with new development and the installation of new services.
30. **Error in Registration.** The percentage by which the correct registration varies from the meter registration. The error is derived at by testing the meters on low, mid and upper ranges, and are averaged to obtain the overall meter efficiencies, all in accordance with meter maintenance recommendations
31. **Fastrack.** Owners or property managers may register for a Fastrack number which allows them to quickly and conveniently sign up for temporary service (Property Manager Program).
32. **Fire Service.** A metered or unmetered service line connected to CWS's water system that supplies water for internal fire protection purposes. CWS's responsibility for fire service lines shall begin at the tap on the supplying water main and shall end at the meter outlet, or in the case of dedicated unmetered fire services, shall end at the property line and/or edge of the right-of-way.
33. **Hydrant.** Above-ground water appurtenance with a valve and spout, owned by the Commission from which water may be drawn from a water main for the purpose of fighting fires.
34. **Hydrant Meter.** Meter and backflow piping and fitting assembly issued by the Commission for the purpose of metering temporary water consumption from a CWS fire hydrant.

**Charleston Water System
Water Rules and Regulations**

35. **Impact Fee.** A non-recurring, fee charged to developers or customers to assist the Commission in paying for major capital improvements for water treatment and distribution, etc. No portion of the total impact fee assessment is refundable after commissioning development projects or after individual service installations.
36. **Main.** A water pipe owned, operated or maintained by the Commission, which is used for the purpose of transmission or distribution of water.
37. **Master Meter.** Any meter used to measure a quantity of water for billing purposes, which serves more than one (1) single-family dwelling unit, premise, or establishment.
38. **Meter.** Any device, or instrument, which is used by the Commission in measuring a quantity of water for billing purposes. The meter will be the property of, and will be maintained by the Commission.
39. **Meter Box.** Vault or box that houses the water meter, and may contain the curb stop.
40. **Multi-Family Dwelling Unit.** Shall mean any building containing two (2) or more residential units.
41. **Origination Fee.** Fee charged to partially off-set the cost of administrative, computer and customer service costs required to establish a new account and render a final bill when the account is closed.
42. **Owner.** The person, business, firm, partnership, corporation, association, or other legal entity, etc. establishment having an interest, whether legal or equitable, sole or only partial, in any premise which is, or is about to be, supplied with water by the Commission, and the word "owners" means all interested parties.
43. **Person.** Shall mean any owner, business, customer, individual, firm, company, association, society, corporation, group, or other legal entity with a single identity.
44. **Premise.** A division of a property or building that is devoted to the exclusive use of one (1) household, family, or establishment and having a separate and distinct entrance, and complete privacy from the remaining portions of the building or property.
45. **Property Manager Program.** A special program where owners or property managers may apply for water and/or wastewater service at a service location for the purpose of cleaning up the property. This special billing program is available for 28 consecutive calendar days, maximum. The appropriate water and wastewater origination-only fees are assessed for the plan during the 28-day period and the account is not billed for actual consumption as long as it is less than 4 Ccf, at which time the customer would also be billed water and sewer based on volumetric consumption at applicable water and wastewater rates as appropriate. (See Exhibit "E", Property Manager Fee.)

**Charleston Water System
Water Rules and Regulations**

46. ***Purchased Capacity Customer.*** This customer class was established as a subset of the Wholesale Customer Class. Two of the major differences between the two classes are that the Purchased Capacity Class is required to buy-in the equity value for the water treatment plant and transmission system. Instead of a single wholesale rate, the Purchased Capacity Customers pay an O & M rate and an annual Capital Charge to maintain their equity ratio. In addition, if the Purchased Capacity customers exceed their allotted capacity, then substantial additional surcharges and capital costs must be paid depending on the individual contracts. Regular wholesale customers have no capacity restraints on their ability to purchase water and pay a single, consolidated rate for both the O & M and Capital Components.
47. ***Rate.*** The term "rate" when used in these *Rules and Regulations* means every compensation, service charge, tap, impact, or change-in-use fee imposed by the Commission.
48. ***Service Area.*** The geographical area served by the works of the Commission, as covered by its water mains.
49. ***Service Charges.*** Any fees or charges imposed by the Commission as contained in Exhibit "E".
50. ***Service Line.*** See Utility Service Line below.
51. ***Shall*** is mandatory, ***may*** is permissive.
52. ***Single-Family Dwelling Unit.*** Shall mean any building, house or apartment unit, occupied for living purposes by a single family and owned or leased by the occupant on a continuing basis for thirty (30) days or more per year.
53. ***Southern Standard Plumbing Code.*** Shall mean the official publication of the Southern Building Code Congress International, latest edition, which provides minimum standards and requirements for safe plumbing installation, alterations, repairs, replacements, equipment, fixtures, etc.
54. ***Stop and Waste Valve.*** A valve located inside the property to be operated by the customer for the purpose of controlling their individual water supply.
55. ***Street.*** The word "street" shall be construed to embrace streets, avenues, drives, boulevards, roads, alleys, lanes, bridges and viaducts, and all other public highways in the water area.
56. ***Submission.*** The act of lowering or submitting to the authority or control of another.

**Charleston Water System
Water Rules and Regulations**

57. **Tap Fee.** A non-recurring, non-refundable charge related to the cost of installing the customer's service line from the main to the customer's property line.
58. **Territory.** The service area supplied by the water system of the Commission, as covered by its mains within the Counties of Charleston, Dorchester and Berkeley, South Carolina.
59. **Townhouse.** Shall mean one (1) or more buildings containing two (2) or more single-family dwelling units, owned individually and provided with, or adjacent to, public streets or roads.
60. **Utility Service Line.** The portion of the distribution lines owned by CWS that transports water from a main through the curb stop to the meter outlet. In the case of unmetered fire supplies, the utility service lines shall be defined as the portion of the service line owned by CWS from the tap on the water main to the edge of the property line and/or right-of-way.
61. **Water Meter.** Any device, or instrument, which is used by the Commission in measuring a quantity of water which is utilized for water billing purposes. The meter will be the property of and will be maintained by the Commission.
62. **Water Plant.** All facilities owned by the Commission for the collection, production, purification, storage, transmission, metering, and distribution of potable water.
63. **Water and Wastewater Policies, Procedures and Standards Manual.** The policy and procedures manual maintained by CWS relating to Development Takeover Projects, New Construction, Impact Fee Programs, unmetered fire services, hydrant usage, etc. This manual is maintained and periodically updated by the CWS Engineering Department and is available upon request.
64. **Wholesale Customer.** A person, government body, or other public or private agency who operates, owns, and maintains a water distribution system for the service of other customers, and whose system is served water by the Commission through one or more master meters.
65. All other words shall be construed as having the meaning defined in *Glossary of Water and Wastewater Control Engineering*, latest edition published by the Water Environment Federation, Washington, DC, or by their general usage if undefined.

**Charleston Water System
Water Rules and Regulations**

SECTION D.
RECORDS AND REPORTS

All records required by these *Rules* are necessary for the administration thereof, and shall be kept within the principal place of the Commission unless otherwise specifically authorized by the Commission. These records shall be available for examination at all reasonable hours in compliance with Section 30-4-10 et seq., Code of Laws of South Carolina, 1976, as amended.

The Commission has a written and approved Records Retention Policy in compliance with Section 30-1-80 through Section 30-1-170, Code of Laws of South Carolina, 1976, as amended, and maintains all records in strict accordance with these statutes and its approved policy.

**Charleston Water System
Water Rules and Regulations**

**SECTION E.
SCHEDULE OF RATES**

1. The metered rate for water supply service for retail customers in the territory shall be in accordance with the meter rates set forth in Exhibit "A".
2. The metered rate for water supply service for wholesale customers in the territory shall be in accordance with the meter rates set forth in Exhibit "G".
3. Every metered water service shall have a monthly minimum rate on each service installed, varying with and based upon the size of service pipe required, and installed in accordance with the Rules of the Commission. This minimum charge shall be in accordance with the schedule set forth in Exhibit "B", and shall entitle the customer to be supplied through the meter the number of cubic feet of water set forth in the table. (See Exhibit "A".) All new services, including irrigation services, shall be metered with the exception of dedicated fire-only services.

Rates for unmetered, dedicated fire service shall be as approved and adopted by the CWS Commissioners, effective by July 24, 2007, or as adopted or amended in the future by the Commissioners. Such rates shall be in accordance with the rate schedule as shown in Exhibit "C".

Use of a CWS-owned hydrant shall be in accordance with the CWS Hydrant Use Policy, in the *Water and Wastewater Policies, Procedures and Standards Manual*. The customer must apply and pay all applicable fees and charges, and execute the required agreements. Hydrant use permits for non-transient users will be issued for ninety (90) days, unless a time extension is approved by CWS management. Transient users who comply with policy requirements will be issued annual hydrant use decals.

4. ***Each Month A Complete Period.*** On all metered water services, each and every month shall be a complete period in itself, and no excess consumption of water during one (1) month shall be charged against the minimum charge or be added to the consumption of any other month. A month may be 28 to 32 days.

In no case shall a service be supplied to a premise, property, or building larger in diameter than the main to which the supply is connected, and in no case shall a service main larger than 6 inches in diameter be furnished for automatic irrigation service, except an 8-inch may be made on a 12-inch main and a 10-inch connection may be made on a 16-inch or larger main.

**Charleston Water System
Water Rules and Regulations**

**SECTION F.
CUSTOMER RELATIONS**

1. CUSTOMER INFORMATION

The Commission shall:

- A.** Maintain up-to-date maps, plans, or records of its entire transmission and distribution systems, with such other information as may be necessary to enable the Commission to advise prospective customers, and others entitled to the information, as to the facilities available for serving customers within its operating area.
- B.** Notify each affected customer by advertising in the newspaper of any proposed change in rates and charges within thirty (30) days of such proposed change by the Commission.
- C.** Provide that complete rate schedules, resolutions, rules and regulations, etc., shall also be on file in the office of the Commission and shall be open to the inspection of the public, during regular business hours.
- D.** Upon request, inform its customers as to the method of reading meters and as to billing procedures.
- E.** Provide adequate means (telephone, etc.) whereby each customer can contact the Commission at all hours in cases of emergency or unscheduled interruptions of service.
- F.** Inform each prospective customer that the customer's service line and plumbing shall conform to all local plumbing codes and, in the absence of such codes, shall conform to the Southern Standard Plumbing Code.

2. APPLICATION FOR SERVICE

- A.** *Where Made.* All applications for water supply service shall be made either at the administrative office, or any branch office of the Commission, or via telephone (with personal identification) to the Customer Service Department, Monday thru Friday during normal working hours. All applicable service charges and fees as set forth in Exhibit "E" shall be charged at the time of application for service.
- B.** *By Whom Made.* The owner or owners of the premises proposed to be connected for water supply service, or their agent thereunto duly authorized, must apply for service.

**Charleston Water System
Water Rules and Regulations**

- C.** Such application for service shall constitute a binding contract between the customer and the Commission when the service connection for water supply service applied for has been installed or activated, obligating the applicant to pay for service in accordance with the Commission's rates and to comply with these *Rules and Regulations*. Prior to the installation, the applicant may cancel or withdraw the application made, upon written request.
- D.** *Customer Deposits.* The Commission reserves the right to require from any customer, or from any prospective customer, a deposit intended to guarantee payment of bills for service, if any of the following conditions exist:
- (1) The customer's past payment record to a water utility shows delinquent payment practice, i.e., the customer has had two (2) consecutive billing period arrears, or more than two (2) non-consecutive billing period arrears in the past twenty-four (24) months, or
 - (2) A new customer cannot furnish either a letter of good credit from a reliable source or an acceptable co-signer to guarantee payment, or
 - (3) A customer has no deposit, and presently is delinquent in payments, (i.e., the customer has had two (2) consecutive billing period arrears, or more than two (2) non-consecutive billing period arrears, in the past twenty-four (24) months, or
 - (4) A customer has had his service terminated for non-payment.
- E.** *Amount of Deposit.* Such deposit shall be no more than the maximum estimated charge for service for two (2) consecutive billing periods, or as may reasonably be required by the Commission in cases involving service for short periods or special occasions.
- F.** *Interest on Deposits.*
- (1) Simple interest on deposits, at the rate of at least 6% per annum, shall be paid to each customer required to make such deposit for the time it is held by the Commission, provided that no interest shall be paid unless the deposit is held longer than six (6) months.
 - (2) Payment of the interest to the customer shall be made at least every five (5) years, or at the time the deposit is returned.

**Charleston Water System
Water Rules and Regulations**

- (3) The interest shall be accrued annually.
- (4) The deposit shall cease to draw interest on the date it is returned, on the date service is terminated, or on the date notice is sent to the customer's last known address that the deposit is no longer required.

G. *Deposit Records.* The Commission shall keep a record to show:

- (1) The name, service and mailing address of each depositor;
- (2) The amount and date of the deposit; and
- (3) Each transaction concerning the deposits.

H. *Deposit Receipt.* The Commission shall issue a receipt of deposit to each customer from whom a deposit is received, and shall provide means whereby a depositor may establish his claim if his receipt is lost.

I. *Deposit Retention.* Deposits shall be refunded completely, with interest, after two (2) years unless the customer has had two (2) consecutive billing period arrears, or more than two (2) non-consecutive billing period arrears, in the past twenty-four (24) months.

J. *Unclaimed Deposits.* A record of each unclaimed deposit must be maintained, and the Commission shall make a reasonable effort to return the deposit. Net remaining proceeds from unclaimed deposits, together with accrued interest, shall be turned over to the South Carolina Tax Commission after seven (7) years.

K. *Deposit Credit.* Where a customer has been required to make a deposit, this shall not relieve the customer of the obligation to pay the service bills when due. Where such deposit has been made and service has been discontinued for reason of non-payment of bill, the Commission shall apply the deposit of such customer toward the discharge of the customer's account and shall, as soon thereafter as practicable, refund the customer any excess of the deposit. If, however, the customer whose service has been discontinued for non-payment, pays the full amount on his account within 72 hours after service has been disconnected and applies for reconnection, the Commission may not charge an additional deposit except under the provisions of this *Rule*.

**Charleston Water System
Water Rules and Regulations**

L. Fees

- (1) **Origination Fee.** The Commissioners will require an origination fee to establish a new customer on an existing or new account. This fee is charged to partially offset the cost of administrative, computer and Customer Service charges required to establish a new account and render a final bill when the account is closed. (\$30.00 CWS Water Origination Fee, and \$30.00 CWS Sewer Origination Fee, approved: 12/01/08.) (See Exhibit "E".)

An origination fee will not be charged if an existing customer supplies evidence of the necessity of a name change, i.e. marriage, divorce, death of spouse, legal name change, and any other request for name change as deemed appropriate by the Commission. Consequently, the account will be changed without charge, to reflect the change of name. In such cases the customer will be required to pay all outstanding balances on the account and supply CWS with the above documentation upon request.

- (2) **Tap Fee.** At the time of application for water service, a water tap fee shall be assessed to the customer, the purpose of which is to recover costs to the Commission of inspection and installing the meter and associated appurtenances. The tap fee shall be determined in accordance with Exhibit "D" or published tap fees in effect at the time of new service application.
- (3) **Impact Fee.** The purpose of water impact fees is to assist the CWS in paying the cost associated with expansion of major components of the water distribution system. These fees will normally be charged and paid by a developer at the time of execution of a CWS contract for extension of a water system and prior to beginning construction of said water system. The total charge for water impact fees will be based upon the total number of meters (and their sizes) anticipated to be installed. Individual customers will also be required to pay the same impact fees for water services (other than new single-family residential irrigation services and dedicated fire services) connecting to CWS mains. No portion of the total impact fee assessment is refundable after commissioning development projects or after individual service installations. See Exhibit "I" for current listing for impact fees.
- (4) **Engineering Services Fee.** CWS will charge an Engineering Services Fee of five hundred (\$500.00) dollars per tap as a component of each water impact fee assessed. The Engineering Services Fee will serve to fund the cost of reviewing developer and customer

**Charleston Water System
Water Rules and Regulations**

plans, specifications, design documents, sketches, calculations and providing other associated administrative services and construction inspection services associated with new development and the installation of new services. An initial payment amount of the Engineering Services Fee, one hundred (\$100.00) dollars per tap, shall be collected at the time plans are submitted for review to cover CWS engineering and administrative costs, and considered non-refundable. In no case will this total initial payment amount be less than \$500.00 for a single project submittal with less than five (5) assessable services. Prior to permitting, CWS will collect the balance of the Engineering Services Fee due with the total impact fees due. Engineering Services Fee paid to CWS may be reimbursed to the developer, less the initial \$100.00 per tap amount, if the project is canceled or the scope of the project is reduced prior to initiation of construction activities. No credit will be given for any portion of Engineering Services Fee previously retained by CWS if the project is reinitiated at some later date. See Exhibit "E" for current listing of engineering services fee.

- (5) **Warranty Inspection Fee.** The Commission will make inspections of the water system during the warranty period. For the purpose making said inspections, the applicant further covenants and agrees to pay CWS, at the time of project closeout and before final acceptance of the system by CWS, the cost of a water system warranty inspection fee. This total warranty inspection fee will be based on the certifying engineer's description of the project linear footage as described on the Project Questionnaire. The water system warranty inspection fee will be charged at \$0.50 per linear foot of water main or as adopted or amended in the future by the Commissioners.
- (6) **Other Fees.** Other fees may be assessed as outlined in Exhibit "E".

M. Change in Customer. Whenever the customer changes at any premise connected to the system of the Commission for water supply service, the Commission shall be immediately notified of such change, giving such notice the name and address of the new customer, whereupon the Commission may, at its option, require the new customer to make application for water supply service in the same manner as is provided for new service connections, or allow the new customer to continue to use the water service assumed from the prior customer. In the absence of such application by such new customer, the use of the Commissioner's service shall be taken and construed to be an acceptance by such new customer of all the contract obligations of the preceding customer with and to the Commission. In the event any customer fails to notify the Commission of a change in ownership of any premises for water supply service, such customer shall continue to be

**Charleston Water System
Water Rules and Regulations**

liable to the Commission for all rates and charges, accrued and accruing for such service, until either the end of the contract period in which he may later notify the Commission of his desire to cancel, or the Commission shall, of its own volition, have canceled the contract with said customer. In no case of change in customer shall the preceding customer or customers be released from any contract obligations to or with the Commission until the contract has been properly terminated in accordance with these *Rules*.

- N. *Initiation of Charges.*** When application for water supply service is made, the charges and rates therefore, shall begin on the date the water meter is set by the Commission. Whenever, there shall have been a change in occupancy prior to the turn-on of the service connection, the new customer must apply for water supply service, and pay all applicable fees.
- O. *Denial or Discontinuance of Service by Commission.*** Service may be refused or discontinued for any of the reasons listed in Section P below. Unless otherwise stated, the customer shall be allowed a reasonable time in which to comply with the *Rule* before service is discontinued. When services are discontinued, appropriate fees will be added to the customer's account (refer to Exhibit "E", Service Charges or Exhibit "H", Penalties). If discontinued services are re-installed without the permission of the CWS, appropriate penalties will be added to the customer's account (refer to Exhibit "E", Service Charges or Exhibit "H", Penalties). CWS reserves the right to initiate legal action against individuals who willfully violate CWS Regulations.
- P. *Service may be denied or discontinued for the following reasons:***
- (1) Without notice in the event of a condition determined by the Commission to be hazardous or dangerous.
 - (2) Without notice in the event of customer use of equipment in such a manner as to adversely affect the Commission's service to others.
 - (3) Without notice in the event of unauthorized use of the Commission's service. (This includes unauthorized taps to CWS's system, including fire service lines, hydrants, or other appurtenances.)
 - (3a) Without notice for unauthorized use of water from or through a dedicated unmetered fire service. See Section Q.
 - (4) For customer tampering with equipment furnished and owned by the Commission. The customer shall make every reasonable effort to prevent tampering, and shall notify the Commission immediately of any tampering with, damage to, or removal of any equipment.

**Charleston Water System
Water Rules and Regulations**

- (5) For violation of and/or non-compliance with the Commission's *Rules and Regulations* regarding service supplied by the Commission.
- (6) For failure of the customer to fulfill his contractual obligations for service and/or facilities subject to regulation by the Commission.
- (7) For failure of the customer to allow the Commission reasonable and safe access to its equipment.
- (8) For non-payment of bill provided that the Commission has followed the procedures stated in Section L.
- (9) For failure of the customer to provide the Commission with a deposit, if required by the Commission.
- (10) For failure of the customer to furnish permits, certificates, and rights-of-way as necessary to obtain service, or in the event such permissions are withdrawn or terminated.
- (11) For illegal willful misuse of Commission's service by the customer.
- (12) For failure of the customer to comply with reasonable restrictions on the use of water, by the Commission, provided that notice has been given to the customer.
- (13) The Commission shall not be required to furnish its water service to any applicant who, at the time of such application, is indebted under a disputed or undisputed bill to the Commission for water service, or any other service, previously furnished for such applicant or any other member of the applicant's household.
- (14) Where the customer is in arrears on an account for service at another premise, unless the customer pays a reasonable amount of his arrears account and makes reasonable arrangements with the Commission to amortize the balance of such past-due account over a reasonable length of time, not to exceed twelve (12) months.
- (15) The customer's use of the Commission's service conflicts with, or violates order, ordinances or laws of the State, or any subdivision thereof or the United States Government.

**Charleston Water System
Water Rules and Regulations**

- (16) The customer's bill is returned as undeliverable by the United States Postal Service.
- (17) For failure to comply with the Commissioner's Cross-Connection Control Program. (See Section H.)
- (18) For the unauthorized or unacknowledged resale of Commission water, without Commission approval.
- (19) For building code violations of on-site properties which may result in potential threats to CWS water service quality.

Q. *Right of Access.* The authorized agents of the Commission shall have the right of safe access to the premises supplied with water, at reasonable hours, for the purpose of reading meters, examining fixtures, completion of a meter test, required maintenance, etc. A record of said report shall be kept on file at the office of the Commission. A service charge shall be made to partially defray the expense of a meter accuracy test, which is refundable, if accuracy of meter tested is plus or minus 2%, which charge is set forth in Exhibit "E".

R. *Waste of Water.* The customer shall maintain his service pipe and all piping and fixtures on or in the building, so that any loss of water through leakage is kept to a reasonably small amount. If the leakage becomes excessive, then it may be treated as a willful waste of water. Unnecessary or excessive use of water may be treated as a willful waste of water, and may therefore be viewed as grounds for service termination. (Also, see Section O, Leaks and Waste.)

**Charleston Water System
Water Rules and Regulations**

SECTION G.

TAPPING MAINS, SERVICE PIPE, AND CONNECTIONS

1. The Commission or its duly notified designee shall lay the service pipe to the property line at the expense of the owner, who shall pay the tap fee and impact fee in effect at the time of application. The current tap fees and impact fees are as set forth in Exhibit "D" and Exhibit "O", respectively. Exception: Effective July 24th, 2007, applicants for new dedicated fire services will no longer be required to pay impact or tap fees for dedicated fire services. Monthly rates for such services shall be as shown in Exhibit "C". Also, in such cases applicants will be required to incur the cost of making the dedicated fire service tap to CWS's water main and installing the service-piping from the main to the property line and beyond. CWS will then operate and maintain the piping and appurtenances from the main to the property line. All construction must be conducted by a CWS-approved contractor and conform with CWS construction specifications for materials and workmanship, in effect at the time of construction. Customers shall coordinate with their CWS-approved contractor to allow for an open trench inspection of the water tap and service line piping prior to activation. Refer to Section Q, Fire Protection Services.

2. ***Size of Service Connection Prescribed.*** The Commission, in every instance, reserves the right to designate and prescribe the size of a service connection, either upon original installation of a new connection, or upon any renewal or replacement of any old connection.
 - 2.1 In the event a customer requests that CWS relocate an existing water service, the customer will be required to pay the actual estimated cost of relocating such service, not to exceed the current tap fee cost.
 - 2.2 In the event a customer wishes to up-size their active, existing metered water service, they will be charged the new tap fee for the up-sized service, plus the difference between the published impact fees for the new (larger) tap and the published impact fee for their existing tap size.
 - 2.3 In the event a customer wishes to up-size their active, existing metered single-family residential water service for fire protection, refer to Section Q Fire Protection Services for the applicable charges.
 - 2.4 If a customer wishes to down-size their metered service, they will be required to pay CWS's estimated actual costs for effecting the down-sizing.

3. ***Separate Service Connection for Each Premise.*** Each separate premise, except as authorized by the Commission, shall have its separate and distinct service connection, and in no case shall more than one (1) premise be furnished with service from one (1) such connection. However, in cases where, in the discretion

**Charleston Water System
Water Rules and Regulations**

of the Commission, the conditions make this impossible or impracticable, the Commission may permit the use of one (1) service connection for more than one (1) premise, subject to such requirements and conditions as the Commission may prescribe and as outlined in the Commission's policies W88007, W88008, W88009 contained in the Commission's Developer Policies.

4. ***Special Service Connections.*** The *Rules* of the Commission relating to the installation of connections to its distribution system for private fire protection service and for public fire hydrants are set forth in the Section hereof relating to these two (2) classes of service.
5. ***Other Requirements Relating to Service Connections.*** The Commission reserves the right at its option, when conditions warrant, to require any owner to install on his service connection a tank, check valve or valves, cock or gate valve, pressure regulator, pressure relief valve or other appliance, apparatus or equipment of such type and design as is approved by the Commission; and thereafter to require any change, alteration, substitution or addition of and to any such tank, etc., as aforesaid. Failure upon the part of the owner to comply with such requirements of the Commission within thirty (30) days after written notice to the owner, or within some agreed-upon extension beyond such thirty (30) days (also in writing), shall authorize the Commission, at its option and without further notice, to discontinue the customer's service. The Commission further reserves the right, at its option, and without notice if the conditions in its discretion warrant and justify such action for the good of the system, to discontinue its service to any premise or premises where and when the continuance of the service to such premise or premises will reduce or in any manner adversely affect the efficiency, quantity, or quality of water of any of the rest of the Commission's system.
6. ***Other Unauthorized Acts.*** Connection to the Commission's water distribution system without proper authorization will be considered violation of this *Resolution*. In addition, any use, operation, or tampering with a CWS-owned valve, hydrant, blow-off or any other system appurtenance, without formal authorization from CWS, will also subject the violator to penalties as imposed in Exhibit "H".
7. ***Use of Public Water Required.*** In the event that public water supplied by CWS is available to a parcel of property, the property owner may be required to connect to the CWS public supply. No direct connection between a private well or water supply and the CWS supply will be allowed. (See Section H, Cross Connection Control.) Exceptions to this requirement may be granted on a case-by-case basis as approved by the CWS CEO.

**Charleston Water System
Water Rules and Regulations**

SECTION H

CROSS-CONNECTION CONTROL

1) REGULATORY REQUIREMENTS

- A) State Primary Drinking Water Regulation: R.61-58 requires all public water systems to initiate and maintain a viable cross-connection control program. Such program shall consist of:
 - 1) Locating and eliminating unprotected cross-connections.
 - 2) Maintaining records pertaining to the location of existing backflow prevention assemblies, type and size of each assembly and test results as required.
- B) No person shall install, permit to be installed or maintain any cross-connection between a public water system and any other non-public water system, sewer or a line from any container of liquids or other substances, unless an approved backflow prevention assembly or method is installed between the public water system and the source of contamination.

2) CWS PROGRAM REQUIREMENTS

- A) CWS will assess the degree of hazard, whether actual or potential, for each water service connection to determine the appropriate level of backflow prevention required.
- B) CWS will notify the customer of backflow prevention requirements.
- C) It is the responsibility of the customer to purchase, install, maintain and test the backflow assembly in accordance with backflow requirements.
- D) Failure to comply with backflow prevention requirements may delay a new water service connection or may result in discontinuation of an existing water service.
- E) For additional information on program requirements, refer to the [Cross-Connection Manual for Backflow Prevention](#).

**Charleston Water System
Water Rules and Regulations**

3) DEFINITION OF TERMS (FOR THE PURPOSES OF CROSS-CONNECTION CONTROL)

- A) **ACCESSIBLE.** Capable of being reached for testing, maintenance and inspection.
- B) **AIR-GAP.** The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other vessel and the flood level rim of said receiving vessel.
- C) **AUXILIARY WATER SUPPLY.** Any water supply on or available to the premises other than the CWS approved public potable water supply. Auxiliary water supply may include water from another purveyor's public potable water supply or any natural sources such as wells, springs, rivers, streams, or harbors.
- D) **ASSESSMENT.** An evaluation of the degree of hazard a customer's water use poses to the safety and quality of CWS distribution system to determine the proper level of backflow prevention to be required.
- E) **BACKFLOW.** The reversal of the normal direction of flow of water caused by either backpressure or backsiphonage.
- F) **BACKFLOW ADMINISTRATION FEE.** A fee charged to customers to defer the cost of maintaining a cross-connection control program. The fee is assessed annually on each backflow prevention assembly. Residential irrigation customers are exempt from this fee. See Exhibit "E" (Service Charleston) / CWS Water Rules and Regulations.
- G) **BACKFLOW PREVENTION ASSEMBLY.** An in-line testable and repairable assembly evaluated and approved by the University of Southern California's Foundation for Cross-Connection Control and Hydraulic Research.
- H) **BACKPRESSURE.** Any elevation of pressure in the downstream piping system (by pump, elevation of piping, steam pressure, air pressure, etc.) above the supply pressure at the point of consideration, which would cause or tend to cause a reversal of the normal flow.
- I) **BACKSIPHONAGE.** A form of backflow due to a reduction in system pressure, which causes a sub-atmospheric pressure to exist in the water distribution system.

**Charleston Water System
Water Rules and Regulations**

- J) *CROSS-CONNECTION.*** Any arrangement of pipes, fitting, fixtures or devices that directly or indirectly connects a non-potable water system to a potable water system.
- K) *CROSS-CONNECTION MANUAL FOR BACKFLOW PREVENTION.*** A set of standards published by CWS to guide installers and testers, on the installation, testing, and maintenance of backflow prevention assemblies within the CWS water service area.
- L) *CWS-APPROVED TESTER.*** An independent contractor certified by SCDHEC to test backflow prevention assemblies and approved by CWS to perform tests for customers within the CWS water service area.
- M) *CWS APPROVED TESTER ORIENTATION.*** An instructional course, given by CWS Cross-Connection Compliance Inspector, outlining the policies, rules and regulations for the CWS Cross-Connection Control Program.
- N) *CWS CROSS-CONNECTION COMPLIANCE INSPECTOR.*** A CWS associate designated and trained to implement the provisions of CWS Cross-Connection Control Program.
- O) *DEGREE OF HAZARD.*** Either a contaminant or pollutant; derived from the assessment of the materials, which may come in contact with the distribution system through a cross-connection.
- 1) *HEALTH HAZARD (HIGH).*** Contamination of the water supply system which could create a danger to the health and well-being of the water consumer.
- 2) *NON-HEALTH HAZARD (LOW).*** Pollution of the water supply system which would be aesthetically objectionable or could cause damage to the system or its appurtenances.
- P) *DOUBLE-CHECK VALVE ASSEMBLY (DCVA).*** Designed to protect against low hazards, the double check valve assembly is a backflow prevention assembly consisting of two (2) independently-operating, spring-loaded check valves with full flow characteristic resilient seated shut-off valves on each side of the check valves. The assembly shall include four (4) properly located, resilient seated test cocks.
- Q) *FIRE SERVICE.*** A metered or unmetered service line connected to the CWS water system that supplies water for internal fire protection purposes.

**Charleston Water System
Water Rules and Regulations**

- R) FIRE SPRINKLER SYSTEM.** A system that discharges water when the effects of a fire have been detected, such as when a predetermined temperature has been reached.
- S) HIGH HAZARD CROSS-CONNECTIONS.** A connection between an approved public water system and a service or other water system which has or may have any material in the water dangerous to health, or connected to any material dangerous to health.
- T) IRRIGATION SYSTEM.** A network of pipes, valves, and sprinkler heads used for applying water to soil or other vegetation.
- U) LOW HAZARD CROSS-CONNECTIONS.** A connection between an approved public water system and another water source not hazardous to health but not meeting the standards of the approved public water system and not cross-connected within its system with a potentially dangerous substance shall be considered a low hazard category cross-connection.
- V) NON-POTABLE WATER.** Water that may contain objectionable pollution, contamination, minerals, or infective agents and is considered unsafe, unpalatable, or both for drinking.
- W) POTABLE WATER.** Water that is safe for human consumption, meets the safe drinking water standards, and is aesthetically pleasing.
- X) PRESSURE VACUUM BREAKER (PVB).** A backflow prevention assembly designed for use on irrigation systems without the threat of backpressure. Pressure vacuum breakers only protect against backsiphonage. The assembly consists of a spring-loaded air inlet valve and a spring-loaded check valve, with full flow characteristic resilient seated shut-off valves, one on the inlet side and one on the outlet side of the pressure vacuum breaker. The assembly shall include two (2) properly located resilient seated test cocks.
- Y) REDUCED PRESSURE PRINCIPLE ASSEMBLY (RP).** A backflow prevention assembly designed to protect against high hazards. The reduced pressure principle assembly is a backflow prevention assembly consisting of two (2) independently-operating, spring-loaded check valves with a hydraulically-operating, spring-loaded mechanical differential pressure relief valve located between the check valves and lower than the first check valve. The assembly shall include four (4) properly located resilient seated test cocks and full flow characteristic resilient seated shut-off valves at each end of the assembly.

**Charleston Water System
Water Rules and Regulations**

Z) WATER SERVICE CONNECTION. The terminal end of a service connection from the public potable water distribution system. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

4) ASSESSMENT REQUIREMENTS:

A) COMMERCIAL SERVICE CONNECTIONS

Each connection will be reviewed and assessed on an individual basis using cross-connection control guidelines generally accepted within the industry. A determination will be made based on plan reviews, site surveys, questionnaires, etc. by CWS Cross-Connection Compliance Inspectors. CWS reserves the right to require a higher degree of protection than the minimum requirements of state regulations.

B) AUXILIARY WATER SUPPLIES

Water service connections to auxiliary water supplies will only be allowed with protection of a reduced pressure principle assembly.

C) MULTI-FAMILY SERVICES (Townhouses, Apartments, Condominiums, Duplexes)

- 1) One- or two-story units without other hazards - no backflow prevention required.
- 2) Three-story and higher units without other hazards - double check valve assembly required.
- 3) Multi-family residential units with other hazards (such as boilers, chillers, solar heating panels, irrigation, car wash facilities, etc.) - reduced pressure principle assembly required.

D) IRRIGATION SYSTEMS

- 1) Systems with no backpressure, no chemical injection and no elevated piping or elevated sprinkler heads – pressure vacuum breaker required.
- 2) Systems with backpressure, chemical injections, elevated piping or elevated sprinkler heads – reduced pressure assembly required.

**Charleston Water System
Water Rules and Regulations**

- 3) Any dedicated irrigation meter being used to supply a pool – reduced pressure assembly required.

E) FIRE SUPPRESSION SYSTEMS

- 1) Commercial Fire Suppression Systems
 - (a) Low Hazard - Fire sprinkler systems in this category shall include water-only systems and shall be protected by an approved double check valve assembly.
 - (b) High Hazard – Fire sprinkler systems in this category shall include, but not be limited to: antifreeze systems, foam systems, glycol systems, systems charged from or tied into an auxiliary water source. High hazard category fire sprinkler systems shall be protected by a reduced pressure backflow prevention assembly.
- 2) Single Family Residential Fire Suppression Systems
 - (a) Flow-Through and Combination Protection Systems designed and certified by a NICET Level IV licensed fire suppression system designer as meeting the requirements of NFPA 13, will not require a backflow prevention assembly.
 - (b) Fire suppression systems not in accordance with the requirements for Flow-Through or Combination Protection Systems as described above, shall have an approved backflow prevention assembly.
 - (c) Single-family residents with fire suppression systems shall be served through a single dual-purpose water service. Unmetered fire service and metered domestic service is not allowed for single family residence.

F) WHOLESALE CUSTOMERS

CWS reserves the right to require a backflow prevention assembly between our system and the wholesale customer's system.

5) INSTALLATION REQUIREMENTS

All backflow prevention assemblies shall be installed in accordance with the requirements of the [Cross-Connection Manual for Backflow Prevention](#).

**Charleston Water System
Water Rules and Regulations**

6) INSPECTION REQUIREMENTS

- A) All backflow prevention assemblies installed in the CWS distribution system shall be inspected by a CWS Cross-Connection Compliance Inspector.
- B) The purpose of the inspection is to ensure installation is in accordance with CWS requirements.
- C) It is the responsibility of the Customer to provide CWS safe and reasonable access to the backflow prevention assembly.

7) TESTING REQUIREMENTS

- A) Testing ensures proper operation of the backflow prevention assembly. Testing is the responsibility of the customer and shall be performed in accordance with CWS requirements. At minimum testing shall be performed:
 - 1) Upon installation and inspection approval by CWS
 - 2) After being placed back in service
 - 3) After repairs of any kind
 - 4) Annually (minimum)
- B) Testing must be performed by a CWS Approved Tester.
- C) CWS Approved Testers must:
 - 1) Be certified by SC DHEC
 - 2) Participate in a CWS Tester Orientation Workshop
 - 3) Apply for recertification with CWS. Fees for recertification will be in accordance with the CWS Water Rules and Regulations, Exhibit E.
 - 4) Comply with all requirements of the [CWS Approved Tester Policy](#).
 - 5) Be listed as a CWS Approved Tester at the time the test is performed

**Charleston Water System
Water Rules and Regulations**

- D)** Tests will not be accepted by CWS from Testers who do not meet the requirements of the [CWS Approved Tester Policy](#) at the time the test is performed.

8) CUSTOMER NOTIFICATION

- A)** Computer generated notifications will be used to communicate CWS Cross-Connection Control Program requirements to the customer:

- 1) Questionnaire: Request for information about a customer's water use to help determine the need for backflow prevention.
- 2) Notice to Install: Notifies customer to install a specific type of backflow prevention assembly.
- 3) Notice for Annual Test: Notifies customer to have yearly backflow prevention assembly test performed.
- 4) Notice to Test after repairs or inspection: Notifies customer to have assembly tested for any situation other than annual test.
- 5) Discrepancy Notice: Letter mailed to customer whose backflow preventer assembly failed its annual test, has been installed incorrectly, or needs to be changed to a different type.

- B)** No response or action on the part of the customer to initial notices will result in second and final notifications being sent to the customer:

- 1) Reminder / Second Notice: Notifies the customer that no response was received from the first notification.
- 2) Final Notice: Notifies the customer that no response was received from the reminder/second notification.

- C)** When accounts are determined to be in non-compliance and all written notifications have been sent, attempts will be made to contact the customer by telephone and/or site visit.

- D)** Accounts can be in non-compliance for the following reasons:

- 1) Backflow prevention not installed.

**Charleston Water System
Water Rules and Regulations**

- 2) Accurate / complete water use information (questionnaire) not provided.
 - 3) Improper installation.
 - 4) Past due for testing.
- E) Accounts determined to be in non-compliance may result in delayed or discontinued water service.

9) TRANSIENT AND NON-TRANSIENT WATER USE POLICY

- A) CWS allows temporary water use from hydrants to authorized customers. The policy controls water use, prevents unauthorized use, maintains system integrity and protects water quality.
- B) All users will comply with policy requirements. Unauthorized use of water from a hydrant is illegal and could result in suspension of the privilege to use water from the hydrants, fines and penalties, and/or legal action. (See Exhibit H Penalties, CWS Water Rules and Regulations.)
- C) Fees: For a description of fees refer to CWS Water Rules and Regulations, Exhibit F, Transient and Non-Transient Water Use Policy.
- D) Two categories of temporary water use have been defined:
 - 1) Non-Transient Water Use shall be defined as stationary, site-specific water usage from a single hydrant for the purpose of construction. Examples of which include construction of new commercial and residential developments, or major renovations of existing properties.
 - 2) Transient Water Use shall be defined as water usage from pre-identified hydrant locations for the purpose of filling a tanker or other water vessel vehicle. Examples of which include street sweepers, hydro-seeders, landscape construction contractors (excluding use for daily irrigation purposes), road contractors, sewer cleaners, or any other similar business utilizing water on a frequent basis at varying locations.

**Charleston Water System
Water Rules and Regulations**

SECTION I.

METERED WATER SUPPLY SERVICE

1. All meters shall be furnished and installed by the Commission, at its own expense or by its duly notified and explicitly authorized designee. All meters so furnished and installed shall be and will remain the property of the Commission. A monthly minimum charge as herein provided will be assessed for each meter billed. Once set, meters are to remain in their location unless changed out by the Commission or its explicitly authorized designee. The required tap and impact fees shall be paid by the service applicant for all new metered water services except for residential 3/4-inch irrigation-only services, where impact fees are not required. (See Exhibit I, Note #2.) Note: All residential irrigation meters shall be required to comply with the requirements of Section H, Cross-Connection Control. Also, see Exhibit “A” of the *Wastewater Use and Rate Resolution*, footnote (a).

2. ***Meter Location.***
 - A. All meters will be furnished, installed, owned and maintained by the Commission, and shall remain its property and be accessible to and subject to its control. Meters shall be located in accordance with good utility practices on the delivery side of the curb stop so as to control the entire water supply furnished to the premises. No meter shall be installed in any location on or off the premises where it may be unreasonably exposed to heat or cold or other cause of damage, or in an inaccessible or hazardous location. Meters will be installed as close as practical to the edge of recorded rights-of-way and/or beginning of private/public recorded property line. CWS’s limit of responsibility and liability shall be located at the outlet of the CWS meter box for metered water service. See Definition Section C for Utility Service Line.

 - B. The Commission may make available to the customer upon request, sketches of standard meter installations to demonstrate the way in which the service installation will be made.

 - C. In the event the customer desires any change in the location or position of the meter, meter box or vault, after they have been installed, such change in location shall be made by the Commission at the expense of the customer.

3. ***Repairs, Renewal and Replacement of Meters.*** Repairs, renewals and replacements of all water meters, meter boxes, with connections and appurtenances, shall be made by the Commission at its own expense where said repairs, renewals and replacements, etc. are due to the ordinary wear and tear of service.

**Charleston Water System
Water Rules and Regulations**

4. *Meter Damage.*

- A. Meters will be maintained by the Commission so far as ordinary wear and tear is concerned. When a meter is designed for and located within a building or structure on the premises, the customer shall pay for all damages due to external causes or heat or cold.
- B. The customer shall notify the Commission of any damage to or improper functioning of the meter as soon as the customer becomes aware of it.

5. *Meter Readings.* Each water meter shall indicate clearly the unit(s) of water registered by such meter. Where the quantity of water is determined by calculation from recording devices, the Commission shall supply the customer with such information as will clarify the method by which the quantity is determined.

6. *Meter Accuracy and Condition.*

- A. Installation Test -- Every water meter, whether new or repaired, shall be in good working order and shall be accurate to within two (2%) percent.
- B. Method of Testing -- All tests to determine the accuracy of registration of any water service meter shall be made with a suitable test meter and records of all regular or complaint tests shall be kept by the Commission.
- C. Customer request for Meter Testing: Residential customers requesting a meter accuracy test will be addressed in the order received. For meters testing within $\pm 2\%$ accurate, a meter test charge as given in Exhibit "E" will be charged. No charge will be levied for meters testing outside of the $\pm 2\%$ accuracy range.

7. *Place of Testing.* All meters up to and including two (2") inches in size shall be tested by the testing equipment of the Commission. Meters larger than two (2") inches may be tested in place by comparison with another meter that has been previously tested and found accurate, or returned to the manufacturer for testing.

8. *Meter Reading Conclusive.* The quantity of water recorded by the meter shall be conclusive on both the owner and the Commission except when the meter is found to be defective, or ceases to register. In case the meter has been found to be defective or has ceased to register, the quantity of water supplied since the last reading shall be based on the average registration of the meter for a period of at least four (4) months.

**Charleston Water System
Water Rules and Regulations**

9. *Unauthorized Use of CWS Service Mains or Metering Equipment.*

- A. It is unlawful and against CWS Regulations for any individual to establish or re-establish CWS water service without the permission of the CWS. It is unlawful for any individual to tamper with or otherwise impair the operation of any CWS-installed water service equipment. It is unlawful for any individual to install any unauthorized device on the CWS water system.
- B. These unauthorized conditions include, but are not limited to:
- (1) Making an unauthorized tap into any CWS water main or service piping.
 - (2) Unauthorized re-establishment of a water service when the service has been crimped.
 - (3) Installing any device in the CWS water system designed to by-pass or to replace a CWS water meter (“open spud”).
 - (4) Installing an unauthorized water meter or valve in to the CWS water system.
 - (5) Removing and/or reversing a CWS water meter or tampering with a meter register, meter base, or any other metering components.
 - (6) Cutting, breaking or otherwise disabling a meter-locking device or valve.
 - (7) Deliberately preventing access to read or terminate water service at the meter due to non-payment or no written contract.
 - (8) Willfully damaging CWS water service, valve, metering equipment, or any other appurtenance.
 - (9) Unauthorized use of a CWS fire hydrant, CWS valve, blow-off or fire service, etc..
 - (10) Unauthorized turn-on of a water meter that has been shut off by CWS (unauthorized use of the curb stop or other service valve).
 - (11) Any other form of unauthorized use or misuse of any component of the CWS water system, or water metering equipment.

**Charleston Water System
Water Rules and Regulations**

(12) Deliberately hindering in any way, the periodic reading of a CWS-owned water meter or restricting access for such reading.

(13) For violations of CWS's Cross-Connection Control Requirements. (Section H.)

C. For applicable penalties to above unauthorized conditions, refer to Exhibit "H".

D. CWS reserves the right to penalize and/or to prosecute any individual who performs unauthorized modifications to or otherwise tampers with CWS water service equipment, appurtenances, or transmission lines, etc.

10. *Preventing the reading or disconnection of a water service.*

A. It is against CWS *Regulations* to park a vehicle and/or place another obstruction on top of a CWS meter box, which prevents a meter from being read and/or service from being disconnected. CWS will attempt to contact the person with whom the service is registered to remove the obstruction. If the customer cannot be reached and/or the obstruction is not removed, additional penalties will be assessed. (See Exhibit "H".)

B. If the customer refuses to remove a vehicle or other obstructions from on top of a CWS meter box additional penalties will be assessed. (See Exhibit "H".)

C. CWS reserves the right to penalize, crimp the service, tow a vehicle, etc., and/or to prosecute any individual who denies or impedes access to a CWS meter box (See Exhibit "H"). In cases involving vehicles parked over CWS meter boxes, if the customer does not respond to the letters sent to them by CWS, the service will be crimped and the customer will pay all charges to activate the account for water usage. A work-order will be generated to a meter service supervisor to read or terminate the water service. The supervisor will also verify if the meter is located on the customer's property or the right-of-way. If the meter is located on the customer's property, meter technology will be contacted to relocate the meter.

**Charleston Water System
Water Rules and Regulations**

**SECTION J.
CUSTOMER BILLING**

- 1.** The Commission shall bill each customer as promptly as possible following the reading of the water meter.
- A. *New Service.*** Meters shall be read at the initiation of any service.
- B. *Billings.*** All current billings are due and payable twenty-one (21) days from date of billing, unless otherwise provided.
- C. *Customer Bill Forms.*** The bill shall show:
- (1) The name, mailing address, e-mail address and phone number of the Commission for customer inquiries.
 - (2) The name of customer, service address, mailing address, and customer account number.
 - (3) The readings and dates on which the meter was read, both at the beginning and end of the period for which the bill is rendered.
 - (4) The number and kind of units metered; also the conversion of Ccfs to gallons.
 - (5) The billing period and the number of days.
 - (6) The dates payments are due; current and prior balance.
 - (7) A distinct marking to identify an estimated bill.
 - (8) The amounts for payments due; current and prior balance.
 - (9) Historical data from prior year: charges, usage and gallons.
- D. *Late Payment Charges.*** The following late fees may be added to any unpaid balance not paid within twenty-one (21) days of the billing date:

<u>Past Due Balance</u>	<u>Late Charge</u>
0 - \$10.00	2%
\$10.01 - \$250.00	\$5.00
\$250.01 - Greater	2%

**Charleston Water System
Water Rules and Regulations**

- E. *Payment by Check and/or Credit/Debit Card.*** The Commission, at its option for good cause, may refuse to accept a check or credit/debit card charge tendered as payment on a customer's account, and require payment in cash.
- (1) A customer is allowed two (2) NSF checks during a 12-month period. After two (2) NSF checks are received within a 12-month period, the customer must pay their bills in cash, or money order for the next twelve (12) months before CWS will accept another check. A non-sufficient fund charge (NSF) will be added to the customer's account for each returned check.
 - (2) If a check or credit/debit card charge is returned by a bank for any reason, a letter will be sent by first class postage informing the customer of the necessary procedure that shall be followed to avoid interruption of service.
- F. *Charges for Discontinuance and Reconnection.*** Whenever service is subject to be turned off, for violation of rules and regulations, non-payment of bills, or fraudulent use of service, the Commission may make reasonable charges for the cost incurred for account analysis, discontinuing the service, reconnecting the service, and require payment for service billed and for service used which has not been previously billed. The foregoing charges are set forth in Exhibit "E".
- G. *Estimated Bills.*** The Commission shall send a customer an estimated bill, only in cases when the meter could not be read or was improperly registering. An account may only have two (2) estimated bills before an actual read is mandatory, unless an extenuating circumstance exist.
- H. *Final Bills.*** When the final charges are calculated, the final bill will be mailed to the last known address under first class postage giving a due date of twenty-one (21) days from the billing date of the bill.

If the bill is not paid, and the customer has an active account, the charges from the previous account will be transferred to the active account. Normal nonpayment procedures will be followed.

If there is not an active account to transfer the charges to and the bill is not paid, the in-house collection procedures will be followed.

**Charleston Water System
Water Rules and Regulations**

I. *In-House Collection.*

- (1) Reminder Notice - First Letter: On the 21st day, after the final bill is mailed, a letter is generated on all accounts with a balance of \$1.00 or greater. This letter is to remind the customers they have ten (10) days remaining to dispute the bill. If the bill is disputed, the account is flagged to stop in-house collection process until the issue is resolved. If the bill is not disputed, it is considered accurate.
- (2) Second Letter: Fourteen (14) days after the final due date, a second letter is generated on all accounts with a balance of \$10.00 or greater. This letter informs the customer the account has been turned over to the CWS's In-House Collection Department
- (3) Third Letter: Thirty-five (35) days after the final due date a third letter is generated on all accounts with a balance of \$10.00 or greater. This letter is to inform the customer of the date the account will be sent to the national rating agencies (CBI/Equifax Credit Information Services and Transunion).
- (4) Fourth Letter: A fourth letter is generated between 63 and 80 days after the final due date on all residential accounts with a balance of \$10.00 or greater. This letter informs the customer the account has been sent to CBI/Equifax Credit Information Services, and Transunion.

Delinquent accounts (other than commercial accounts) are sent by magnetic tape to CBI/Equifax and Transunion on the 15th and 30th of each month. If these dates fall on the weekend, the tape will be sent the next working day.

Records of unpaid accounts sent to CBI/Equifax and Transunion will remain on the customer's credit file for seven (7) years.

- (5) Setoff Debt Program: The Charleston Water System participates in the South Carolina Setoff Debt Program. This program allows CWS to turn the debt over to the South Carolina Department of Revenue, via the Municipal Association of South Carolina (MASC). The Setoff Debt Collection Act (Section 12-56-10) allows the South Carolina Department of Revenue to deduct this debt, along with associated fees, from any state income tax refund owed to the customer and forward the balance to CWS.

**Charleston Water System
Water Rules and Regulations**

- 2. *Where Made.*** Payment of all bills of the Commission may be made at any office of the Commission, on the internet website or its authorized collection agency sites. Authorized payment sites are available upon request of the Customer Service Department.
- A. *Remittance by Mail.*** The date of processing by the Commission shall be taken as date of payment for all remittance by mail for bills and accounts due the Commission.
- B. *Credit Card Payment.*** Customers are able to make payments on their bill by using MasterCard, Visa, American Express or Discover credit cards or debit cards. These payments may be made via internet, by telephone, or in person at one of two Charleston Water System's branch offices.
- C. *Online Account Management.*** Customers have the convenience of paying electronically via internet, subsequent to issuance of their first monthly bill. To utilize this payment option, the customer registers at www.charlestonwater.com.
- D. *Convenience Pay.*** Customers have the option of paying their bills at local vendors who are contracted with Western Union (Convenience Pay). The customer pays the vendor a \$1.00 convenience fee to utilize this service.
- E. *CheckFree.*** CheckFree is a third party processing center for customers to make their payments online through bank institutions, credit unions, brokerage firms, favorite web portal or directly through CheckFree's website. For a listing of current CheckFree processing centers, customers may contact their local banking institution to find out how to make electronic payments of this type.
- F. *Auto Draft.*** Charleston Water System's Bank Draft Program allows the customer the liberty to eliminate the writing of checks for and the mailing of their monthly bill payments, as well as giving them the peace of mind of always being on time. Customers interested in this service may contact the Customer Service Department at (843) 727-6800 or come in to one of the branch offices to request an application. Also, they may simply check and sign the appropriate section on the back of their bill stub and mail it in.
- G. *Other Payment Methods***
- **E-box:** A method used to consolidate online payments made by customers via their bank or payment processing center.
 - **Pay-by-phone:** Customers are able to pay their bills by telephone Integrated Voice Response (IVR) using a credit card.

**Charleston Water System
Water Rules and Regulations**

3. ***Payment Plan.*** When a long-term mutual agreement is reached between the customer and CWS concerning payment of a bill, the customer will receive a letter stating the due dates and amounts to be paid.
4. ***10-Day Extensions.*** The customer agrees to pay their past-due balance (excluding storm drain charges) ten (10) days after the pay-by date on the bill.
5. ***All Other Bills and Accounts.*** All bills and accounts are due and payable on the day of the rendition thereof, unless otherwise provided. Also, unless otherwise provided, all such bills and accounts are in arrears from and after twenty-one (21) days from date of postmark.

**Charleston Water System
Water Rules and Regulations**

SECTION K.

ADJUSTMENTS AND REFUNDS

- 1. *Adjustment Procedure.*** When a customer is experiencing a high bill due to leaks inside the property, they may apply for an adjustment. The request must be made, in writing, stating the nature of the leak, the date(s) it occurred, and attach a receipt for the repairs. When CWS receives the request, all charges relating to the period of the leak will be placed on hold until the adjustments have been processed and consumption returns to normal. Late fees will be removed at the time of adjustment. An adjustment will be considered for a maximum of two (2) billing periods and the account may receive one (1) adjustment every three (3) years. If a leak adjustment is granted, the water and/or sewer charges may be adjusted. (Flat rate sewer customers do not qualify for sewer charge adjustments.) Typically, adjustments will not be granted for negligent acts on behalf of the customer. All adjustments will appear on the subsequent bill. Any exceptions must be approved by the Director of Customer Service or Officer of the Commission.

- 2. *Corrected Bills.*** If it is found that the Commission has billed any customer a greater or lesser amount for any service rendered, then the method of adjustment for such overcharge or undercharge shall be as follows:

 - A. *Fast or Slow Meters.*** If the overcharge or undercharge is the result of a fast or slow meter, then the method of compensation shall be as follows:

 - (1) In the case of a disputed account, involving the accuracy of a meter, such meter shall be tested upon request of the customer.
 - (2) In the event that the meter so tested is found to have an error in registration of more than two (2%) percent, the bills will be increased or decreased accordingly, but in no case shall such a correction be made for more than two billing periods prior to determination of meter error.
 - (3) If the meter test is within 2% accuracy, the customer is charged a \$50.00 meter test fee.

 - B. *Customer Inadvertently Overcharged.*** If the Commission has inadvertently overcharged a customer as a result of a misapplied schedule, an error in reading the meter, a skipped meter reading, or any other human or machine error, except as provided in subparagraph (A) above, the Commission shall, at the customer's option, credit or refund the excess amount paid by that customer, or credit the amount billed as provided by the following:

 - (1) If the interval during which the customer was overcharged can be determined, then the Commission shall credit or refund the excess amount charged during that entire interval, not to exceed one (1) year, unless authorized by the Chief Executive Officer.

**Charleston Water System
Water Rules and Regulations**

- (2) If the interval during which the customer was overcharged cannot be determined, then the Commission shall credit or refund the excess amount charged during the 12-month period preceding the date when the billing error was discovered.
- (3) If the exact usage and/or demand incurred by the customer during the billing periods subject to adjustment cannot be determined, then the refund shall be based on an appropriate usage and/or demand. However, claim for such adjustment may be required to be made in writing to the Commission within ten (10) working days of the rendition of the bill or account in dispute.

C. *Customer Inadvertently Undercharged.* If the Commission has undercharged any customer as a result of a misapplied schedule, an error in reading the meter, a skipped meter reading, or any human or machine error, then the Commission may recover the deficient amount as provided as follows:

- (1) If the interval during which the customer was undercharged can be determined, then the Commission may collect the deficient amount incurred during that interval up to a maximum period of six (6) months.
- (2) If the interval during which a customer was undercharged cannot be determined, then CWS may collect the deficient amount for a period not exceeding the six (6) months from the date when the billing error was discovered.
- (3) The customer shall be allowed to pay the deficient amount in equal installments over the same number of billing periods which occurred during the interval the customer was subject to pay the deficient amount; however, all current bills shall be paid by the due date.
- (4) If the usage and/or demand incurred by that person during the billing periods subject to adjustment could not be determined, then the adjustment shall be based on estimated usage and/or demand. If a meter has ceased to register, the adjustment shall be based on the average registration of the meter over at least a four (4) month period when in order.

D. *Customer Undercharged Because of Fraud or Willful Misrepresentation.* If the Commission has undercharged any customer because of the customer's fraudulent actions, such as tampering with, or by-passing the meter, or because the customer has willfully misrepresented a material fact resulting in an undercharge, or if it is shown that the customer is aware of fraudulent or illegal action by another person, such as tampering with or by-passing the meter, and it is evident that such tampering or by-passing benefits the customer, or if it is evident that a customer has knowledge of being undercharged without notifying the Commission as such, then notwithstanding subparagraph (A) of this paragraph, the Commission shall recover the deficient amount provided as follows:

**Charleston Water System
Water Rules and Regulations**

- (1) If the interval during which the customer was undercharged can be determined, then the Commission shall collect the deficient amount incurred during that entire interval, provided that the applicable statute of limitations is not exceeded.
- (2) If the interval during which the customer was undercharged cannot be determined, then the Commission shall collect the deficient amount incurred during the 12-month period preceding the date when the billing error was discovered by the Commission.
- (3) If the usage and/or demand incurred by that customer during the billing periods subject to adjustment cannot be determined, then the adjustment shall be based on an appropriate estimated usage and/or demand.

In addition to the above, if the metering equipment has been removed or damaged, then the Commission shall collect the estimated cost of repairing and/or replacing such equipment.

3. ***Other Bills, Accounts or Charges.*** No adjustments or deductions on any bill, account or charge rendered or made by the Commission for any charge or purpose other than metered service, will be made or allowed, unless a claim for such adjustments or deductions is made to the Commission in writing within ten (10) days after the date of the rendition of the bill or account in dispute.
4. ***Time Limits for Adjustment Requests.*** Under no circumstances will adjustments be allowed except as authorized by the Commission, as described in Item 1 of this Section. Typically, no adjustments will be considered for billing periods over one (1) year prior to the request date of the customer.
5. ***New House Under Construction.*** New house under construction is an adjustment given to uninhabitable construction where sewer is not connected to the residence. The sewer charges may be adjusted off the account for up to four (4) months during construction of a new residence.

**Charleston Water System
Water Rules and Regulations**

**SECTION L.
DELINQUENT ACCOUNTS**

1. All bills and accounts rendered and charges made by the Commission which are in arrears as provided in these *Rules*, shall be termed delinquent accounts.

2. ***All Other Delinquent Accounts.*** Any water charges, which are delinquent, may cause the water service of the Commission to be discontinued. The Commission shall give written notice prior to discontinuing the water service. A message will appear on the bill that informs the customer of the necessary procedures the customer must follow to avoid interruption of water service. If this procedure is not followed within fourteen (14) days of postmark of notice, service may be discontinued. If so, such service will not be reactivated until the amount of the delinquent account, and the non-pay process fee as established in Exhibit "E" has been paid, or proper arrangements have been made with CWS's designated credit counselor.

In cases where water is served through a master meter, the party responsible for the bill will be notified as referenced above for delinquent accounts. Additionally, each tenant served by the master meter will be notified when it appears that service termination is eminent. This notification will be in the form of a door hanger. Tenants will be given an opportunity to apply for an individually-metered water service for their given unit.

3. ***Delinquent Account Arrangements.*** If a customer is unable to pay any delinquent water charges, the water service will not be terminated provided the customer has requested an extension for payment. The extension must be agreed to by the Commission. When long-term agreements (payment plans) are authorized, the Commission will mail the customer a letter stating the dates and amounts to be paid. If the extension agreement is not adhered to, the water service may be terminated without further notice. All outstanding charges due at that time must be paid before service is restored.

The extension agreement will not affect late fees from being applied to outstanding charges.

**Charleston Water System
Water Rules and Regulations**

SECTION M.

TURN-ON AND SHUT-OFF

- 1. *Curb-Stop to be Used by Commission.*** The curb-stop on any and all service connections shall not be in any way used by the owner or his employees or agents for turning on or shutting off the water supply. All such turning on or shutting off of the water supply by the owner shall be made with a separate curb-stop and water valve, located or to be located on the house side of the service curb-stop. All turning-on or shutting-off of the water supply at and with the curb-stop shall be done exclusively by the Commission.
- 2.** A violation of the above *Regulation*, upon the part of the owner, his employee or agents, shall subject the owner or consumer to a penalty as set forth in Exhibit "E" for the first offense, and upon the second such offense, the Commission may, at its option, discontinue the service and shut off the water supply to said premises so long as the owner or consumer continues to reside at said premises.
- 3. *Charge for Shut-Off and Turn-On.*** Any account scheduled for shut-off for non-payment will receive a non-pay processing fee as shown in Exhibit "E". This amount remains on the customer's bill, even if the account is finaled out.
- 4.** All requests of the owner or customer for shut-off or turn-on of water supply shall be made to the Commission.
- 5. *Accidents, Breakdowns, Etc.*** In case of accidents, breakdowns, shortage of water supply, or any causes beyond its control, or because of any act or omission on the part of the public authorities, or their agents, or any of them, in the case of the making of repairs, renewals or replacements, the Commission reserves the right to shut off the water supply from any one or any number of premises, without notice, and shall in no manner be held responsible for any consequences of such shut-off.
- 6. *Notice of Shut-Off.*** The Commission will give notice, in the manner deemed in its discretion to be most effective, of any shut-off of the water supply wherever and whenever the giving of such notice is practical, but nothing in these *Rules* contained shall be construed to require the giving of such notice except where accounts have become delinquent, [in which case, the procedure stated in Section L, Paragraph 2, shall be followed].
- 7. *Shut-Off Not Cause for Adjustment or Refund.*** The shutting off of the water supply to any premise for any cause shall not entitle the customer to any adjustment or deduction nor cause a cancellation of any contract or agreement for water supply service, except at the option of the Commission.

**Charleston Water System
Water Rules and Regulations**

SECTION N.

INSPECTION OF PREMISES

- 1.** ***Every Premise Open to Inspection.*** Every premise connected with the Commission's water supply system shall at all reasonable hours be open to the employees of the Commission for the purpose of conducting Commission business. While engaged in the service of the Commission, such employees will be identified by a picture-identification badge. The continual refusal, by act or omission on the part of the owner or consumer, of admittance to the employees of the Commission when properly identified may result in the shutting off of the water service.

**Charleston Water System
Water Rules and Regulations**

***SECTION O.
LEAKS AND WASTE***

- 1.** It shall be the duty of every customer, owner, his agent or tenant to exercise due diligence to prevent the waste of water and shall stop all leaks on his premises.

- 2.** ***When Cause for Shut-Off.*** Any willful waste, or neglect to promptly stop persistent water leaks, or unnecessary use of the Commission's water supply by any customer, shall be sufficient cause to authorize the Commission to discontinue its service to the premise(s) without notice.

- 3.** ***When Turned on Again.*** Whenever the water supply to and for any premises has been shut off because of leaks or waste as in this Section provided, the same shall not be turned on again until all cause or causes for shut-off have been remedied or removed, and until satisfactory assurance shall have been given to the Commission that the condition causing the shut-off will not again exist by the owner, or his agent or tenant, and a service charge shall have been paid to the Commission to cover the cost of turning on the water supply again, as set forth in Exhibit "E" herein.

**Charleston Water System
Water Rules and Regulations**

***SECTION P.
IRRIGATION***

- 1. *Irrigating With Metered Service.*** All irrigation services are required to be metered. Irrigation amounts and frequencies shall, under ordinary conditions, be optional with the owner; subject, however, to the right reserved by the Commission to restrict or entirely prohibit all such irrigating for any cause deemed sufficient therefore in the discretion of the Commission, upon notice to the owner of such restriction or prohibition. See Exhibit “J”, Drought Management Plan. Note: All irrigation services are required to comply with Section H of this manual.
- 2. *Irrigating During a Fire.*** All irrigation during a fire in the vicinity of any owner's premises of which such owner, his agent or tenant has, or may reasonably be presumed to have, knowledge or notice of is generally prohibited, unless such irrigating is for protection against such fire.
- 3. *Other Irrigating Restrictions.*** The Commission may impose other restrictions for yard irrigation during drought conditions as deemed appropriate by the Commission. Refer to Section S, Item 7.
- 4. *Impact Fees For Irrigation Services.*** Refer to the CWS policy located within the *Water and Wastewater Policies, Procedures and Standards Manual* under the Common Policies Section, Section 7, Item #1a, entitled “CWS Water & Wastewater Impact Fees” for the impact fees for both residential and non-residential irrigation services. Also, see Exhibit “I”, note no. 2.

**Charleston Water System
Water Rules and Regulations**

SECTION Q.

PRIVATE FIRE PROTECTION SERVICE

1. ***Dedicated Fire Service Charges.*** Charleston Water System (CWS) will permit dedicated fire services (see Definition Section) for all types of structures except those classified as single-family residential. (Refer to Dual-Purpose Service Charges for single-family residential structures.) Impact fees will not be charged for dedicated fire services. The applicant for a dedicated fire service shall submit plans prepared by a professional engineer to the CWS Engineering & Construction Department for approval, and will use a CWS-approved utility contractor to make the tap and install the fire service line from the main to the property line. The applicant will pay the actual cost charged by the contractor to make the new tap at the point designated by CWS. CWS will no longer require meters for any dedicated fire service; however, CWS may require a flow detection device. All dedicated fire service installations must comply with all CWS cross-connection control policies and procedures in effect at the time of application. All customers with dedicated fire services will be assessed a monthly fire protection fee as approved by the Commissioners in Exhibit “C”.
 - 1a. ***Limits of Responsibility.*** CWS’s responsibility for fire service lines shall begin at the tap on the supplying water main and shall end at the meter outlet, or in the case of dedicated unmetered fire services, shall end at the property line and/or edge of the right-of-way.
2. ***Dual-Purpose Service Charges.*** Applicants for dual-purpose services (fire and domestic via a single tap) will be charged as follows:
 - 2.1 For new single-family residential structures, the published impact fee for the needed domestic-only service size (typically 3/4-inch) regardless of actual tap size; the published tap fee for the actual tap size; and the published origination fee as approved by the Commissioners in Exhibit “D”. For these cases, the minimum allowable meter size is 3/4-inch by 3/4-inch.
 - 2.2 For conversion of existing single-family residential structures:
 - a. If the existing service line and meter sizes are adequate based on calculations prepared by a licensed fire sprinkler designer, CWS will not charge the applicant for the conversion. However, the minimum allowable meter size is 3/4-inch by 3/4-inch.
 - b. If the existing service line is adequate, but the meter size must be increased based on calculations prepared by a licensed fire sprinkler designer, CWS will charge the applicant the published Return Visit and Meter Replacement Fees as approved by the Commission. In no case will the meter size be increased to greater than the existing service line size.

**Charleston Water System
Water Rules and Regulations**

- c. If both the line and meter size must be increased based on calculations prepared by a licensed fire sprinkler designer, CWS will assess the published tap and origination fees approved by the Commission for the requested tap size. No additional impact fees will be assessed.

2.3 For all other types of structures, the published water tap, impact, and origination fee rates as approved by the Commissioners in Exhibit “D”, based on the tap size.

All customers with dual-purpose services will be charged in accordance with the published monthly domestic water rates as approved by the Commission in Exhibits “A” and “B”, respective to the service size. All dual-purpose service installations must comply with all CWS cross-connection control policies and procedures in effect at the time of application.

- 3. ***Termination of Fire Services (Dedicated and/or Dual-Purpose).*** In the event the Charleston Water System must terminate water service due to account delinquency, or other reason, customers with dual-purpose or dedicated fire services shall be wholly responsible for damages, injury, or death resulting from a fire. CWS will not be responsible or liable in any manner for termination of water service for any reason defined within the CWS *Water Rules and Regulations*. This indemnification also applies to termination of any service that includes a dual purpose fire service installed without proper notification to CWS. Prior to termination of a CWS dual-purpose or a dedicated fire service (public or private), CWS will make every attempt to immediately notify the appropriate local public fire department(s) responsible for fire protection for the affected customer. This indemnification also applies for termination of any service that includes a dual-purpose fire service installed without notification to CWS.
- 4. ***Use of Dedicated Fire Services.*** No water shall be drawn from dedicated fire service pipes for any purpose other than for the extinguishment of fires or testing of the fire protection system. No connection shall be made between the dedicated fire service pipe system and the domestic and/or irrigation water supplies to the premises. Whenever a fire service system is to be tested under the regulations of the fire insurance underwriters the owner must notify CWS of such proposed test, naming the day and hour when the same is intended to be made, so that if desired, CWS may have an inspector present during the test.
- 5. ***Inspection.*** All fire services shall be subject to inspection by CWS from time to time and the owner or tenant shall give the inspectors all reasonable facilities for making the inspection, and any information concerning the same that the CWS inspector may require. Care will always be taken that inspections will be made with as little inconvenience to the owner or occupant as possible.

**Charleston Water System
Water Rules and Regulations**

6. ***Using Water From a Dedicated Fire Service.*** In any case when the owner and/or occupant of any premises is found to be using water from a dedicated fire service for purposes other than fire protection, or fails to comply with any of the foregoing Rules, the owner and/or occupant shall be notified, in writing, that such action is a violation of CWS policy and that the owner is to pay CWS a fine of Five Hundred (\$500.00) Dollars and cease the unauthorized use immediately. Failure to comply may result in service being discontinued and the water shut off from the same without further notice. The owner shall immediately become liable to CWS for the sum of Five Hundred (\$500.00) Dollars as compensation to CWS for any and all damage sustained by it for such wrongful use of its water supply, or for failure to comply with such *Rules*. In such event, the fire service shall be reactivated only after such sum of Five Hundred (\$500.00) Dollars shall have been paid, and the cause of complaint entirely removed. A second violation of this *Rule* will again make the owner immediately liable to CWS for a second sum of Five Hundred (\$500.00) Dollars per violation and, further, will be sufficient cause for cutting the service off at the main and refusing to reconnect the same while the offender occupies the premises.

In such cases, the owner may be required to install a meter on the fire service and install a backflow device of appropriate size as prescribed by CWS, and/or be subject to service termination. The cost of the meter installation shall be the same as the prescribed cost of a new service installation, i.e., tap fee, as shown in Exhibit "D".

7. ***Guarantees.*** CWS, in no manner, guarantees to furnish a specific quantity of water through the fire protection service for fire protection, but it will make every effort to maintain the efficiency and operability of its service under all conditions. CWS will not be responsible in any manner for failure of its water supply during a fire, or at any other time.
8. ***Modification of Fire Services/Existing Unmetered Fire Services.*** See policy, titled CWS Policy Regarding Fire Services, contained in the *Water and Wastewater Policies, Procedures, and Standards Manual*.

**Charleston Water System
Water Rules and Regulations**

SECTION R.

PUBLIC FIRE HYDRANTS

1. **Installing Fire Hydrant Service.** Charleston Water System, at its discretion, may install, at any location on any public highway or private easement, a standard fire hydrant having two (2), two and one-half (2-1/2") inch hose nozzles and one (1), 4-1/2 inch steamer nozzle and a six-inch (6") service pipe from the Commission's main. In the locating of fire hydrants, the Commission shall consider the size of the street main and the surrounding distribution system, the available pressure on said street main and the surrounding distribution system and any other factors to ensure proper fire hydrant operations under normal and ordinary conditions. See Policy No. W88005, "Installation of Fire Hydrants", in the *Water and Wastewater Policies, Procedures and Standards Manual*. No fire hydrant will be installed on any mains less than six (6") inches in diameter.
2. **To be Used for Fire Protection Purposes Only.** All CWS-owned fire hydrants are to be used for fire protection purposes exclusively, except as otherwise authorized in writing, by the Commission. See Transient / Non-Transient Water Use Policy, *Water and Wastewater Policies, Procedures and Standards Manual*. Only CWS personnel, and/or its authorized entities, and authorized fire department personnel are allowed to operate a CWS fire hydrant. (See #3 below.)
3. **Permits For Use of Fire Hydrants.** A CWS fire hydrant may be used by the completion and approval of an application and formal contract as provided for in the Commission's Transient / Non-Transient Water Use Policy. This Policy is contained in the *Water & Wastewater Policies, Procedures and Standard Manual*, and can also be found on the www.charlestonwater.com Internet site, under Developer, Engineers & Contractors, Backflow Prevention Requirements.
4. **Unauthorized Use of Fire Hydrant.** Use or operation of any CWS fire hydrant by any person other than CWS and fire department personnel is illegal unless prior authorization is obtained from the Commission. Failure to obtain prior authorization (as provided in Item #3 above) will be grounds for imposition of a penalty as indicated in Exhibit "H".
5. **Hydrant Flow Tests.** Upon authorized request, CWS technical staff will perform hydrant flow tests for design engineers, architects, developers, etc. for design data for fire sprinkler systems, or other technical, engineering, or hydraulic design needs. In-house CWS staff will perform such tests typically within three (3) working days of receipt of payment of the Hydrant Flow Test Fee in effect at the time of the application. See Exhibit "E", Hydrant Flow Test Fee, for current service charge.

**Charleston Water System
Water Rules and Regulations**

SECTION S.

GENERAL

1. ***Owner Responsible for all Acts.*** Each owner or customer will be held fully responsible and liable by and to the Charleston Water System for all that is done on, in, or about any premise by any agent or tenant or other persons not in the employ of the Commission.
2. ***Tenant Taken to be Agent or Owner.*** The tenant in or upon any premises of any owner shall at all times, and for all purposes connected with or arising from the Commission's water supply service to and for such premises, except the making of the original application for water supply service, pipe, and contract, be taken and construed to be the properly constituted agent of the owner.
3. ***Service of Notices.*** Any notices in these *Rules* provided to be given shall be deemed to have been properly served if left upon the premises of the owner, or customer, whichever is appropriate, or, in the case of delinquent accounts, if delivered to the owner or customer, by first class mail, at his address as shown on records of the Commission. All notices of a general character, affecting or likely to affect more than one owner or customer, if required by these *Rules* to be given, shall be deemed to have been properly given or served if advertised at least once in one of the newspapers of general circulation published in the Charleston area.
4. ***Amendments to Rates.*** Any addition or modification, alteration or amendment to any of the rates of the Commission, shall be publicly advertised in a local newspaper of general circulation throughout the retail service area at least thirty (30) days prior to the effective date.
5. ***Enforcement of These Rates and Rules.*** All of the within *Rates and Rules* shall be considered applicable to each customer furnished with, or who is connected to, the system of the Charleston Water System for such service. Whenever any one of said *Rules* is violated, the right is reserved to the Commission, at its option, to discontinue its service without notice (except in the case of delinquent accounts, provided for elsewhere herein), and to enforce such requirements and make and collect such charges as may be in any and all such cases prescribed in said *Rules*. No method of enforcement of any provisions thereof, provided for in the foregoing *Rules*, shall be deemed or taken to be exclusive, but each such method of enforcement shall leave the Commission free to pursue any and all other remedies, either under the said *Rule*, or at law, or in equity.
6. ***Interruptions of Service.***
 - A. The Charleston Water System shall make reasonable efforts to avoid interruptions of service, but when interruptions occur, service shall be re-established within the shortest time practicable, consistent with considerations of safety.

**Charleston Water System
Water Rules and Regulations**

- B.** Scheduled interruptions shall be made at a time that will not cause unreasonable inconvenience to customers, and shall be preceded by adequate notice to those who will be affected.
- C.** The Charleston Water System shall maintain records of any interruption in its service.
- D.** If any interruption affects the service of any public or private fire protection system, the Commission shall immediately notify the public official responsible for fire protection. The Commission will not be responsible in any manner for interruption of its water supply during a fire, or at any other time.

7. *Restrictions of the Use of Service.* (See also Exhibit “J”, Drought Management Plan)

- A.** The Charleston Water System may impose reasonable restrictions on the outdoor use of water during periods of shortage of supply, excessive demand or other difficulty which jeopardizes the supply of water to any group of customers.
- B.** The Charleston Water System may impose reasonable restrictions on the use of water by customers who use large quantities of water and thereby create conditions which prevent CWS from supplying satisfactory service to that customer, or to other customers.
- C.** If the Charleston Water System finds that it is necessary to restrict the use of water, it shall notify the customers before such restriction becomes effective, except in the event of an emergency, which such notification may be made by telephone. Such notifications shall specify:
 - (1) The reason for the restriction.
 - (2) The nature and extent of the restriction (e.g., on outdoor use of water, use by certain classes of customers, etc.).
 - (3) The date such restriction is to go into effect.
 - (4) The probable date of termination of such restriction.

**Charleston Water System
Water Rules and Regulations**

D. *Water Conservation Plan.*

During any period of potential or actual water shortages, the Charleston Water System will implement mitigative procedures as defined above and in its Water Conservation Plan, approved initially by Resolution on October 28th, 1986 by the Commission and any subsequent amendments as approved and adopted. This Plan conforms to requirements of the South Carolina Drought Conservation Act of 1985 and is included in these *Rules* as Exhibit “J”.

E. *Quality of Service.*

The Charleston Water System shall provide water that is potable and, insofar as practicable, free from objectionable odor, taste, color, and turbidity. The source of supply shall be the Edisto River, the Bushy Park Reservoir, or the Goose Creek Reservoir. Such sources shall be adequate to provide a continuous supply of water and of such quality as to meet the standards of the South Carolina Department of Health and Environmental Control.

Every effort shall be made to ensure that the water supply system, from the treatment plant to the customers meter shall be kept free from sanitary defects. Any physical connection between the distribution system of a public water supply and that of any other water supply must comply with the regulations of the South Carolina Department of Health and Environmental Control. The Charleston Water System shall have representative samples of the water it supplies examined by the responsible State or local agencies, or by an approved water laboratory, at intervals specified by those agencies in accordance with the standards of the South Carolina Department of Health and Environmental Control.

**Charleston Water System
Water Rules and Regulations**

SECTION T.

WATER DISTRIBUTION SYSTEM EXTENSIONS

1. Construction of water distribution facilities in any new development shall be the complete financial responsibility of the developer, except as noted in the Charleston Water System's Policies No. W88001, W88004, and W88006 in the Commission's Developer Policies.
2. Approval by the Commission of new water distribution systems to be constructed by a developer shall be accomplished by the following procedure:
 - A. Submit construction plans and specifications for the development, prepared by a S.C. Registered Professional Engineer, to the Commission in sufficient detail and in accordance with the latest revisions of the Commissions' *Minimum Standards for the Design and Construction of Water and Sanitary Sewer Systems* (minimum standards), and in the Commission's Developer Policies.
 - B. Based upon the above submittal, the Commission will review the plans and specifications for conformance with the Commission's *Minimum Standards*.
 - C. As defined in the Charleston Water System's *Minimum Standards*, the developer shall execute a takeover agreement with the Commission, which will define impact, and other development related fees to be paid before the construction permit application for the development is submitted to SCDHEC.
 - D. Impact fees will be charged and paid by the developer at the time of execution of the takeover agreement and prior to beginning construction of the water distribution system and shall consist of a fee in accordance with Exhibit "T" for each proposed size and number of water meters that are to be connected to the proposed water distribution system extension for the development. Effective July 24th, 2007, no impact fees will be charged for dedicated, unmetered fire services. See Section G, Item #1.
 - E. All construction by the developer shall be performed by an approved contractor who is so designated by the Charleston Water System. In the event an unapproved contractor is used, the Commission shall have the right to assign a member of its staff to perform full-time inspection work and require the developer/customer to pay for such inspection services in accordance with the takeover agreement and at rate stipulated within.

**Charleston Water System
Water Rules and Regulations**

3. For any parcel of land that has an existing Commission-provided water service and is subsequently subdivided shall be considered a development. The developer thereof shall be responsible for installing the water distribution system extension to serve the newly formed parcels.
4. For any development, the Charleston Water System shall not be responsible for the installation of the necessary approach mains to serve the development. Refer to amended Policy W88001 in the Commission's Developer Policies.
5. In accordance with the requirements of Policies W88001 (referenced above) and W88004, the Charleston Water System reserves the right to require that a water main for which a developer is responsible to install be increased in size and/or length, in order to serve all phases of the development's master plan or to comply with the Commission's water master plan for an area. The Commission will be responsible for only that portion of cost associated with upsizing and/or increasing the length of the water main to serve areas outside of the development for which the extension is required.
6. Included in the water impact fee is a cost component to cover the expenses generated by the Commission's staff in the engineering, plan review, testing, and inspection (except as noted in Item 2-E above) of new water distribution systems. The engineering service fees will be reviewed periodically, along with the impact fee. See Policies W88014 and W88003 in the Commission's Developer Policies.
7. The Commission will not certify to SCDHEC acceptance of a new water distribution system until such time as all administrative requirements have been met either by the developer and/or his engineers/agents. The Charleston Water System will not install water meter taps onto any new water distribution system extension, which has not received full acceptance by CWS and an operating permit from SCDHEC.
8. ***Water Main Extensions by the Charleston Water System.*** It is sometimes requested of the Commission to extend water mains at its expense within established subdivisions in its service area. In order to establish the feasibility for constructing these projects, the Commission will use the criteria as outlined in Policy No. W88006 in the Commission's Developer Policies.
9. ***Mobile Home Community Water System Takeover.*** Policy no. W95017 in the Commission's Developer Policies, titled "CWS Water Availability to Private Water or Well Systems for Existing Residential Communities", provides the requirements and the process for CWS takeover of existing water distribution systems in residential communities.

**Charleston Water System
Water Rules and Regulations**

SECTION U.

PENALTIES

1. The Charleston Water System may discontinue water service to any customer who is more than fourteen (14) days in arrears with payment of charges, cost recovery, surcharges, and/or who fails to comply with these *Rules and Regulations*. After proper customer notice, water service may be discontinued by complete severance of the water connection, or the Commission may disconnect the water meter. Water service renewal may be permitted only after the person has complied with these *Rules and Regulations* and made payment of all charges and penalties as provided in Exhibits "E" and Exhibit "H".
2. Any person who is found to have violated an Order of the Commission or who willfully or negligently failed to comply with any provision of these Resolutions, and the Orders, Rules, and Regulations, issued hereunder, shall be fined as provided for in Exhibit "H". Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Commission may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated these *Resolutions* or the Orders, Rules and Regulations issued hereunder.
3. Any customer who knowingly makes any false statements, misrepresentations, or certifications in any application, record, report, plan or other document files or required to be maintained pursuant to these Resolutions, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these Resolutions shall, upon conviction, be punished by a fine as provided for in Exhibit "H" or imprisonment for not more than one (1) year or both.
4. The Charleston Water System may impose penalties as outlined in Exhibit "H" for: (a) unauthorized construction or connection to its water distribution system and, (b) for any unauthorized use of the Commission's distribution system and appurtenances and, (c) for violation of the Commission's Cross-Connection Policy for each incident, per day. Each day of violations will be considered a separate incident.

**Charleston Water System
Water Rules and Regulations**

SECTION V.

VALIDITY

1. All *Rules, Regulations* and/or any parts thereof in conflict with these *Rules and Regulations* are hereby repealed.
2. The Charleston Water System, through its duly elected Commissioners, reserves the right to take such immediate action for emergencies, not specifically covered herein, as they may deem necessary in the interest of Public Health and Safety and further reserves the right to amend this resolution, in part or in whole.
3. The invalidity of any Section, clause, sentence or paragraph in these *Rules and Regulations* shall not affect the validity of any other section, clause, sentence or provision of these *Rules and Regulations* which can be given effect without such invalid part or parts.

**Charleston Water System
Water Rules and Regulations**

SECTION W.

POWERS AND AUTHORITIES

1. The Charleston Water System and its duly authorized employees, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this *Resolution*. The Commission or its representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper or other industries.
2. While performing the necessary work on private properties referred to in Section E, Item 5 above, the Commission and its duly authorized employees, shall observe all safety rules applicable to the premises established by the company. The Charleston Water System shall indemnify the company against loss or damage to its property by the Commission's employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging, sampling operations, except as such may be caused by negligence or failure of the company to maintain safe conditions.
3. The Charleston Water System and its duly authorized employees, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Commission holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the water works lying with said easement. All entry and subsequent work if any, on said easement shall be done in full accordance with terms of duly negotiated easement pertaining to the private property involved.

**Charleston Water System
Water Rules and Regulations**

SECTION X.

APPEALS PROCEDURE

1. Any individual, corporation, customer, contractor, or other entity may appeal any decision of the CWS staff or management to the Board of Commissioners. In addition, any the Commission's policy or procedure or application of such policy or procedure may also be appealed to the Commissioners. Any and all such appeals must be directed, in writing, to the Chairman of the Commission with a copy issued to the Chief Executive Officer. The Chairman, upon receipt of the written request, can set the matter to be appealed on the regularly scheduled Commissioners meeting for consideration by the Commissioners. The person(s) making the appeal will be given the opportunity to appear before the Commissioners to present their appeal. If deemed necessary, a special Commissioner's meeting may be scheduled by the Chairman to consider any appeal.

Decisions of the Commissioners on all appeals will be considered the final position of the Charleston Water System.

**Charleston Water System
Water Rules and Regulations**

SECTION Y.

RESOLUTION IN FORCE

1. This Resolution shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

It was moved by Mr. Louis Waring, seconded by Mr. Howard Burky, and unanimously passed that the foregoing Resolution be adopted by the Charleston Commissioners of Public Works of the City of Charleston of the State of South Carolina this 10th day of November, 1998. Likewise, subsequent amendments have been approved and adopted by the Commissioners and/or its Chief Executive Officer, as shown on the title page of this document.

ATTEST AND SEAL:

S/ Kin Hill, PE

Kin Hill, PE

Chief Executive Officer

Charleston Water System
Water Rules and Regulations

EXHIBIT "A"

***SCHEDULE OF RATES FOR
RETAIL TREATED WATER SERVICE***

Volume Charge, Water Use per Hundred Cubic Feet (Ccf)

Effective December 1, 2011

Inside City \$/Ccf Outside City, \$/Ccf

Monthly Volume

	Minimum Charge (a)	
	Inside City \$/Ccf	Outside City, \$/Ccf
First 2 Ccf		
Next 18 Ccf	1.55	2.85
Over 20 Ccf	1.37	2.41

(a) See Exhibit "B", next page

Ccf = Hundred cubic feet

Charleston Water System
Water Rules and Regulations

EXHIBIT "B"

WATER RATES
MONTHLY MINIMUM CHARGES

Effective December 1, 2010

<u>Service Size</u> Inches	<u>Inside City</u> Monthly (\$)	<u>Outside City</u> Monthly (\$)
3/4 Inch	\$ 10.00	\$ 16.85
1 Inch	\$ 12.25	\$ 19.45
1-1/2 Inch	\$ 22.00	\$ 30.60
2 Inch	\$ 29.40	\$ 39.20
3 Inch	\$ 62.25	\$ 77.25
4 Inch	\$ 99.75	\$120.25
6 Inch	\$193.00	\$228.00
8 Inch	\$286.50	\$335.50
10 Inch	\$379.50	\$443.00
12 Inch	\$435.50	\$508.00

Charleston Water System
Water Rules and Regulations

EXHIBIT "C"

DEDICATED FIRE PROTECTION SERVICE

RATE SCHEDULE FOR DEDICATED FIRE PROTECTION SERVICES			
Inside & Outside City Rates, Effective December 1, 2010			
Private Fire Connection Tap Size	Initial Connection Fee	Monthly Charge Inside	Monthly Charge Outside
4 Inch (or less) Fire Service	\$0.00	\$7.75	10.00
6 Inch Fire Service	\$0.00	\$22.92	29.50
8 Inch Fire Service	\$0.00	\$48.75	62.50
10 Inch Fire Service	\$0.00	\$87.58	113.00
12 Inch Fire Service	\$0.00	\$141.67	182.00

Charleston Water System
Water Rules and Regulations

EXHIBIT "D"

WATER TAP FEES

<u>SIZE OF TAP</u>	<u>TAP FEE</u>
3/4 Inch	\$ 500.00
1 Inch	\$ 1,200.00
1-1/2 Inch	\$ 2,000.00
2 Inch	\$ 2,200.00
3 Inch	\$ 8,000.00
4 Inch	\$14,000.00
6 Inch	\$16,000.00
8 Inch	\$20,000.00
10 Inch	\$28,000.00
12 Inch	\$34,000.00

Note: Effective July 24th, 2007, no water tap fees will be charged for new dedicated un-metered fire services. Refer to Section G and Section Q, herein.

**Charleston Water System
Water Rules and Regulations**

EXHIBIT "E"

SERVICE CHARGES

Origination Fee (Approved: 11/20/80 / Revised: 12/1/08)	\$ 30.00
Non-Pay Process Fee (Effective: 08/06/04 / Revised: 12/1/08)	\$ 50.00
Return Visit Fee (Open Fixture) (Effective: 02/01/96 / Revised: 12/1/08).	\$ 30.00
After-Hours Charge	\$ 50.00
Off-Temporary-Turn-On	N/A
Returned Check Charge (NSF) (Effective: 08/06/04)	\$ 35.00
Meter Replacement and Test Fee	\$ 50.00
CPW/MASC Processing Fee (Effective 10/01/95)	\$ 25.00
Property Manager Fee.... (same as Origination Fee) (Effective: 1/20/12)	\$ 30.00 (for up to 28 days)(less than 4 Ccf)
Flow Search Investigation Fee..... ..	\$ 50.00
Annual Backflow Administrative Fee (Effective: 02/01/96) *	\$ 25.00
Hydrant Flow Test Fee — (Per Test, Effective 07/01/00) (See Section R, Item 5).....	\$200.00
Cross-Connection Testers Recertification Fee	\$ 80.00 (\$50.00 DHEC Recertification Fee + \$30.00 Internal CWS Administrative Fee)
Engineering Service Fee (Per Water Service)	\$500.00
Warranty Inspection Fee (per liner foot of water main)	\$ 0.50

* Effective 2/1/2000 Single-family residential irrigation accounts are exempt from this annual fee. All other backflow assembly accounts are subject to this fee.

**Charleston Water System
Water Rules and Regulations**

EXHIBIT "F"

TRANSIENT and NON-TRANSIENT WATER USE POLICY

See Section R and the Transient and Non-Transient Water Use Policy, in the *Water and Wastewater Policies, Procedures and Standards Manual* for detailed rates and fees concerning transient and non-transient companies who utilize water directly from our distribution system.

RATES (Effective January 1, 2008)

<u>TRANSIENTS:</u>	<u>Designation</u>	<u>Tanker Volume</u>	<u>Annual Charge (\$)</u>
	Class 1	3,000 or more gallons	\$2,000.00
	Class 2	2,000 – 2,999 gallons	\$1,500.00
	Class 3	1,000 – 1,999 gallons	\$1,000.00
	Class 4	501 – 999 gallons	\$ 750.00
	Class 5	500 gallons or less	\$ 500.00

Note: The above fees may be pro-rated on a quarterly basis depending on the date of service application.

	<u>TIMEFRAME</u>	<u>SIZE</u>	<u>COST</u>
<u>NON-TRANSIENTS:</u>	• Seven (7) days or less:	3/4"	\$140.00
	• Seven (7) days or less:	1-1/2"	\$350.00
	• Seven (7) days to ninety (90) days:	3/4"	\$350.00
		1-1/2"	\$700.00
	• Extensions:	3/4"	\$140.00/month
		1-1/2"	\$280.00/month

See actual Policy for implementation criteria and fee details.

Charleston Water System
Water Rules and Regulations

EXHIBIT "G"
WHOLESALE WATER RATES

RATE \$ / CCF

December 1, 2010

Municipalities	\$ 1.83
(Town of Folly Beach, St. John's Water Company, Dorchester County) *	
Subdivisions	\$ 2.13
(Lincolnton, Dorchester County) *	

SEPARATE RATE CLASSES

Sullivan's Island	By Contract
Mt. Pleasant	By Contract
Isle of Palms	By Contract
Department of Defense	By Contract
Raw Water	By Contract

Ccf: Hundred Cubic Feet

* Certain Dorchester County accounts are eligible for the municipal rate while others are charged the sub-division rate.

**Charleston Water System
Water Rules and Regulations**

EXHIBIT "H"

PENALTIES

Unauthorized tap / by-pass (Effective 06/01/04) (Additional fees may be added depending on circumstances)	\$ 500.00
Unauthorized Water Distribution Construction and/or Tap; Penalty	\$2,000.00 Each Incident, Per Day
Unauthorized Hydrant Use, Valve operation, meter use, etc.	or Other Uses \$500.00 Each Incident, Per Day
Unauthorized Use of Water From Fire Service	\$ 500.00
Willful violation of the Commissions' Cross-Connection Control Rules and Regulations, (Section H and/or Program Manual)	\$2,000.00 Each Incident, Per Day
Authorized Crimp/Renewal Fee (Effective 06/01/04)	\$500.00
<u>Meter and/or Tampering, etc. Fee</u>	
1st Offense (Effective: 06/01/04)	\$100.00
2nd Offense (Effective: 06/01/04)	\$150.00
3rd Offense (Effective: 06/01/04)	\$400.00
4th Offense (Effective 06/01/04)	\$600.00
Preventing the reading or terminating of a water service.	
1st Offense (Effective: 06/01/04)	No charge
2nd Offense (Effective: 06/01/04)	\$ 50.00
3rd Offense (Effective: 06/01/04)	\$100.00
Towing Fee for Car Over Meter (Effective 06/01/04)	Actual cost paid by customer to the towing company..
Unauthorized Turn-On of a water meter that was shut-off by CWS	\$ 50.00 (Effective 06/01/04)

The above penalties may be amended from time to time with a minimum of thirty (30) days notice.

Charleston Water System
Water Rules and Regulations

EXHIBIT "I"

WATER IMPACT FEES

Effective Date: January 30, 2006

<u>TAP SIZE</u>	<u>IMPACT FEE*</u>
3/4 Inches	\$ 2,200.00
1 Inch	\$ 3,380.00
1-1/2 Inch	\$ 6,100.00
2 Inch	\$ 9,500.00
3 Inch	\$17,500.00
4 Inch	\$28,800.00
6 Inch	\$36,500.00
8 Inch	\$56,900.00
10 Inch	\$67,700.00
12 Inch	\$82,700.00

* Includes \$500.00 Engineering Service Fee

Note #1: **Effective July 24th, 2007, water impact fees will not be charged on new unmetered dedicated fire services. See Section G, Item #1.**

Note #2: **Water impact fees for 3/4-inch single-family residential irrigation-only water services are not required. See Section I, Item #1 located within the CWS *Water Rules and Regulations Manual*, and the Common Policies Section, Section VII, Item #1a located within the CWS *Water and Wastewater Policies, Procedures and Standards Manual*.**

**Charleston Water System
Water Rules and Regulations**

EXHIBIT "J"

Charleston Water System

Drought Management Plan

and

Response Regulation

INDEX:

Section I: Declaration of Purpose and Intent

Section II: Definition of Terms

Section III: Drought Management Plan

- A. Introduction
- B. Designation of Water System Drought Response Representative
- C. Description of Water System Layout, Water Sources, Capacities and Yields
- D. Identification of Water System Specific Drought or Water Shortage Indicators
- E. Cooperative Agreements and Alternative Water Supply Sources
- F. Description of Pre-Drought Planning Efforts
- G. Description of Capital Planning and Investment for System Reliability and Demand Forecasting

**Charleston Water System
Water Rules and Regulations**

Drought Response Regulation

Declaration of Policy and Authority

Moderate Drought Phase

Severe Drought Phase

Extreme Drought Phase

Rationing

Enforcement of Restrictions

Variances

Status of the Regulation

Resolution of Adoption

**Charleston Water System
Water Rules and Regulations**

Drought Management Plan

Section I: — Declaration of Purpose and Intent

The Charleston Water System (hereinafter "CWS") understands the fundamental need to make efficient use of the valuable water resources under its stewardship in order to protect the public's health and safety and environmental integrity. The purpose of this document is to establish a plan and procedures for managing water demand and evaluating supply options before and during a drought-related water shortage. The intent is to satisfy the requirements of the Drought Response Act of 2000 (Code of Laws of South Carolina, 1976, Section 49-23-10, et seq., as amended) with the goal of achieving the greatest public benefit from domestic water use, sanitation, and fire protection; and to provide water for other purposes in an equitable manner. Therefore, CWS has adopted this Drought Management Plan and Drought Response Regulation that provide the policies and the authority to fulfill this obligation. The Drought Management Plan outlines the framework by which CWS will internally prepare for water shortages. The Regulation provides the regulations by which CWS will manage and control its customer water usage during various levels of a drought.

Section II: — Definition of Terms

For the purposes of this Plan and the accompanying Regulation, the following definitions will apply:

Aesthetic Water Use: Water used for ornamental or decorative purposes such as fountains, reflecting pools, and waterfalls.

Commercial and Industrial Use: Water use integral to the production of goods and/or services by any establishment having profit as its primary aim.

Conservation: Reduction in water use to prevent depletion or waste of the resource.

Customer: Any person, company, or organization using finished water owned or supplied by CWS.

Domestic Water Use: Water used for personal needs or for household purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Drought Alert Phases: There are four (4) drought alert phases to be determined by the Drought Response Committee for the State of South Carolina. The four phases are:

**Charleston Water System
Water Rules and Regulations**

- 1) Incipient Drought
- 2) Moderate Drought
- 3) Severe Drought
- 4) Extreme Drought

Drought Response Management Areas: There are four (4) drought management areas corresponding to the major river basins in South Carolina. The four areas are:

West or Savannah

Central or Santee

Northeast or Pee Dee

Southern or Ashepoo, Combahee, and Edisto

In order to prevent overly broad response to drought conditions, drought response measures shall be considered within individual drought management areas or within individual counties, as applicable. CWS is within the Southern Drought Management Area.

Drought Response Committee: A committee composed of State and local representatives was created for the purpose of coordinating responses to water supply shortages within Drought Management Areas and making recommendations for action to the South Carolina Department of Natural Resources and/or the Governor. The Committee is composed of State agency representatives from the South Carolina Emergency Management Division of the Office of the Adjutant General, South Carolina Department of Health and Environmental Control, South Carolina Department of Agriculture, South Carolina Forestry Commission, and South Carolina Department of Natural Resources, as well as local committees representing counties, municipalities, public service districts, private water suppliers, agriculture, industry, domestic users, regional councils of government, commissions of public works, power generation facilities, special purpose districts, and Soil and Water Conservation Districts.

Essential Water Use: Water used specifically for fire fighting, maintaining in-stream flow requirements, and to satisfy Federal, State, or local public health and safety requirements.

**Charleston Water System
Water Rules and Regulations**

Finished Water: Water distributed for use after treatment. The terms "water use," "water user," and "water customer" refer to finished water use unless otherwise defined.

Institutional Water Use: Water used by government, public and private educational institutions, churches and places of worship, water utilities, and organizations within the public domain.

Irrigation Water Use: Water used to maintain gardens, trees, lawns, shrubs, flowers, athletic fields, rights-of-way, and medians.

Non-essential Water Use: Categories of water use other than Essential Water Use. Examples of non-essential water use include landscape irrigation, and the washing of buildings, parking lots, automobiles, etc.

Equivalent Residential Unit (ERU): An equivalency unit defined to be equal to one single-family residence. One ERU equals 400 gallons per day.

S. C. Department of Natural Resources: The State agency with primacy to implement the provisions of the Drought Response Act.

Water Supply Shortage: Lack of adequate, available water caused by drought to meet normal demands.

Section III: Drought Management Plan

A. Introduction: To ensure that CWS adequately manages its water system during drought-related conditions, an organized plan is necessary for system operation and reliability, proper communications, effective coordination, and ultimate allocation of water use. Prior planning will complement CWS's ability to respond to drought conditions and to enforce the related Regulation.

B. Designation of Water System Drought Response Representative: The Drought Plan will be administered by the designated executive officers of CWS, who will principally be responsible for making decisions related to the equitable distribution of water resources. These officers are as follows:

- 1) Kin Hill, PE, Chief Executive Officer;
- 2) Andy Fairey, Chief Operating Officer;
- 3) Mark Cline, PE, Capital Project Officer

**Charleston Water System
Water Rules and Regulations**

The primary person responsible for Plan Administration who will serve as the Drought Response Representative will be:

Kin Hill, PE, Chief Executive Officer
Charleston CWS
103 St. Philip St.
Charleston, SC 29403

Telephone: 843-727-6862; e-mail: hillfk@charlestoncpw.com

The individual who will be the primary contact with the news media will be CWS's Public Relations Manager:

Jennifer H. Craft, Public Relations Manager
Charleston CWS
103 St. Philip St.
Charleston, SC 29403

Telephone: 843-727-7146; e-mail: craftjh@charlestoncpw.com

- C. Description of Water System Layout, Water Sources, Capacities, and Yields:** CWS's water system is located in the Southern Drought Response Management Area of South Carolina. The system serves customers in Berkeley, Dorchester, and Charleston Counties; including both wholesale and retail customers. The existing retail customer base is approximately 110,000 accounts; with wholesale service to the following utilities: Mt. Pleasant Waterworks, Isle of Palms Water and Sewer Commission, Town of Sullivan's Island, Town of Folly Beach, Town of Lincolnville, St. Johns Water Company (including Kiawah Island and Seabrook Island), Dorchester County, Dorchester Water Authority, and Department of Defense. The Hanahan Water Treatment Plant consists of a conventional water filtration plant with SCADA telemetry for monitoring and controlling water storage tanks for meeting peak and fire flow demands. The permitted capacity of the Hanahan WTP is 118 MGD. There are presently four (4) raw water supply sources available to the Hanahan WTP. The two (2) primary sources are: 1) the Bushy Park Reservoir and Bushy Park Tunnel with a capacity of 150 MGD; and 2) the Edisto River at Givhans State Park. Presently, only approximately ten percent (10%) of the source of supply is from the Edisto River, though the permitted capacity of the transport tunnel is 100 MGD. The

**Charleston Water System
Water Rules and Regulations**

two (2) back-up sources of supply are the Ashley River and Foster Creek, which would be back-fed from Bushy Park Reservoir. The primary source of supply — the Bushy Park Reservoir — is owned and controlled by CWS. Water discharged from the Pinopolis Dam flows through the Tail-Race Canal into Durham Canal, which then flows into the Bushy Park Reservoir. The release of water from the Pinopolis Dam by the South Carolina Public Service Authority ("Santee Cooper") is controlled to a large extent by agreements with the U.S. Army Corps of Engineers, Santee Cooper, and the Cooper River Water Users Association. In the established agreements, fresh water quality, as measured by continuous water quality monitoring stations in Durham Canal and the Cooper River, must be sufficient to ensure the use of the water for industrial and municipal purposes. Water quality is continuously monitored by the U.S. Geological Survey (USGS), which receives information from monitoring stations at Dean Hall, Durham Canal, and Pimlico by way of satellite relays. This real-time information is then used by the USGS to determine if certain water quality thresholds are being exceeded. In that event, USGS directs Santee Cooper to release 4,000 cubic feet per second (CFS) for 15 hours. If a second tier water quality threshold is exceeded, Santee Cooper must release 6,000 CFS. Further, a second method confirms the sufficiency of the first by evaluating a daily tidal factor. The tide factor is a dimensionless ratio of the tidal range of mean water level. If the tide factor is greater than 10, an alert is called into Santee Cooper which has to release 4,000 CFS over 24 hours. If the factor is greater than 15, a higher average flow rate is released from Pinopolis. For exceedance alerts, releases are not contingent upon power demands. In certain cases, the capability exists for USGS to evaluate the real-time monitoring data by complex non-linear computer models capable of predicting the quantity of fresh water which must be released to preclude contravention of water quality standards for conductivity used as a broad indicator variable for other water quality variables of concern. Hence, even during the most significant drought of record, water quality of acceptable quantity could be maintained in Bushy Park Reservoir. Furthermore, CWS supplies source water for industrial use purposes to each of the following users: 1) BP Chemicals through Bushy Park Reservoir; 2) DuPont and DAC through Durham Canal; 3) Bayer Chemicals through Bushy Park Reservoir; 4) SCE&G Co. Williams Stations through Bushy Park Reservoir; and 5) Mead-Westvaco through Edisto River via Edisto Tunnel.

- D. Identification of Water System Specific Drought or Water Shortage Indicators:** Operators of every water system must develop historical trends that are valuable indicators of a system's ability to meet demand when demand begins to outpace supply. Accordingly, CWS has developed triggers for use during potential drought or demand water shortages that describe when specific phases of the Drought Response Regulation are implemented. The system triggers are as follows:

**Charleston Water System
Water Rules and Regulations**

Moderate Drought Phase

- For the Edisto River:

When the river at the intake is 90% of 7Q10, a reduction of 20% of the permitted capacity should occur. That is, the withdrawal of source water from the Edisto River should not exceed 80 MGD. The residual water demand would be compensated by withdrawal from the Bushy Park Reservoir.

- For the Bushy Park Reservoir:

When the specific conductance of the water in the Durham Canal is between 260 and 500 micro-siemens for a period of time greater than 48 hours.

Severe Drought Phase

- For the Edisto River:

When the river at the intake is 75% of 7Q10, a reduction of 40% of the permitted capacity should occur; or, the withdrawal of source water from the Edisto River should not exceed 60 MGD. The residual water demand would be compensated by withdrawal from the Bushy Park Reservoir.

- For the Bushy Park Reservoir:

When the specific conductance in the Durham Canal is between 500 and 1500 micro-siemens for a period of time greater than 48 hours.

Extreme Drought Phase

- For the Edisto River:

When the river at the intake is between 50% and 75% of the river's 7Q10, a reduction of 60% of the permitted capacity should occur; or, the withdrawal of source water from the Edisto River should not exceed 40 MGD. When the river is less than 50% of 7Q10, the withdrawal of source water from the Edisto should not exceed 25 MGD. The residual water demand would be compensated by withdrawal from the Bushy Park Reservoir.

- For the Bushy Park Reservoir:

**Charleston Water System
Water Rules and Regulations**

When the specific conductance in the Durham Canal is greater than 1500 micro-siemens for a period of time greater than 48 hours.

- E. Cooperative Agreements and Alternative Water Supply Sources:** Successful drought management requires a comprehensive program by the water utility. In many situations administrative agreements are required with other agencies to fully implement the Plan.

Agreements with other water purveyors may be necessary for alternative water supply sources. Other agreements that strengthen conservation efforts by large users may be necessary. CWS hereby identifies the following agreements that are in place to facilitate the implementation of this Plan; each Agreement including the provision that the reduction of flow to the wholesale customer shall be in the same proportion as the reduction in flow to CWS's retail service customers: 1) Department of Defense; 2) Dorchester County;;3) Town of Folly Beach; 4) Isle of Palms Water and Sewer Commission; 5) Town of Lincolnville; 6) Mt. Pleasant Waterworks; and 7) St. Johns Water Company; and 8) Sullivan's Island.

- F. Description of Pre-Drought Planning Efforts:** Before the occurrence of a water supply shortage and the need to implement the emergency provisions of the Regulation, it is important that certain pre-response measures be taken with the aim of conserving the system's source water, as well as the water distributed to the customer. In regards to the conservation measures listed below, CWS has taken the following actions:

1. Identification of all major water users of the system as heretofore identified.
2. Provisions in wholesale customer contracts requiring that the receiving water utility have an approved Drought Management Plan. In addition, water main extension contracts between CWS and the developers of new projects with an associated water demand include the provision that a moratorium on all new water service connections may be invoked in the event of an Extreme water shortage.
3. A vigorous public education program is critical for achieving substantial water use reductions. An effective public outreach program will keep the public informed about the water supply situation, what actions will mitigate drought emergency problems, and how well the public is doing in terms of meeting the program goals. Keeping the public involved, informed, and participating in the decision-making process is key to implementing an effective Drought Management Plan. CWS has designed for periodic

**Charleston Water System
Water Rules and Regulations**

distribution a bill insert which encourages all water customers to practice water conservation and to make wise use of water resources. This educational brochure further encourages the reduction of non-essential water usage during peak water demand periods. In addition, an annual brochure is distributed encouraging homeowners to insulate exposed water pipes to protect from freezing and the potential loss of water. To assist the customer with finding water leaks in home plumbing systems, CWS offers assistance to the homeowner in determining water leaks and provides continuous flow monitoring to pinpoint the time of excessive flow demand.

Furthermore, CWS's many efforts at water conservation are highlighted with its participation in an annual Earth Day held in cooperation with Charleston Co. and the City of Charleston. Water saving devices and leak detection tips are provided to the homeowner. Moreover, these methods of education are augmented with periodic Public Service Announcements on local television stations and interviews with the local print and electronic media.

- G. Description of Capital Planning and Investment for System Reliability and Demand Forecasting:** Water utilities routinely find that capital improvements to the system strongly enhance their ability to compensate for times of drought. It is important that every water utility aggressively plan and build for future needs. The utility must continue to provide for system operation flexibility, improved pumping and storage capacity, and new technologies to meet the demands of tomorrow. Accordingly, CWS has concentrated on providing system redundancy with respect to source water supply, internal water treatment plant operations, and water distribution and storage. To begin with, CWS's main water supply — the Bushy Park Reservoir — receives a discharge of fresh water from the Pinopolis Dam equal to an average day of 4,500 cubic feet per second. To ensure that the supply in Bushy Park Reservoir remains fresh and is not overly influenced by the tidal salt water prism from the Cooper River, USGS monitoring stations continuously monitor the water quality to ensure adequate fresh water is being released from the Pinopolis Dam. This complex process has been heretofore described. In addition to the primary source, CWS's secondary source of supply is the Edisto River. While the Edisto River's drainage basin is much smaller than the Santee-Cooper Basin, nonetheless, historically low flows would be able to provide percentages of source water to the Hanahan WTP as outlined in detail in Section III.D. The permitted capacity of the Hanahan WTP is 118 MGD. In order to meet the needs of peak flow conditions, the firm low service pumping capacity of the treatment plant is

**Charleston Water System
Water Rules and Regulations**

125 MGD, and the firm high service capacity of the treatment plant is 145 MGD. The treatment plant maintains finished water storage of 12.5 million gallons (MG), and the water distribution system has a finished water storage of 16 MG. This does not include the finished water storage of CWS's many wholesale customers. An aggressive engineering planning process, using demographic data from the local Council of Governments (BCD-COG), as well as trending data for almost 100 years, gives CWS excellent insight into future water demands and the benefits of its water conservation program. Water distribution system hydraulic modeling also allows the water distribution mains and storage tanks to be designed and constructed before the actual demand exceeds system capacity. Capital improvement plans are based upon a short-term five (5) year planning cycle, with longer planning periods used for certain specific infrastructure needs.

**Charleston Water System
Water Rules and Regulations**

Drought Response Regulation

- A. Declaration of Policy and Authority:** The objective of this Drought Response Regulation is to establish authority, policy, and procedure by which the CWS will take the proper actions to manage water demand during a drought-related shortage. The Regulation satisfies the requirements of the Drought Response Act of 2000 and has the goal of achieving the greatest public benefit from limited supplies of water needed for domestic water use, sanitation, and fire protection, and of allocating water for other purposes in an equitable manner.

This Regulation outlines the actions to be taken for the conservation of water supplied by CWS. These actions are directed both towards an overall reduction in water usage and the optimization of supply.

To satisfy these goals, CWS hereby adopts the following regulations and restrictions on the delivery and consumption of water. This Regulation is hereby declared necessary for the protection of public health, safety and welfare, and shall take effect upon its adoption by the Board of Commissioners of the CWS.

If it becomes necessary to conserve water in its service area due to drought, CWS is authorized to issue a proclamation (a "Proclamation") that existing conditions prevent fulfillment of the usual water-use demands. The Proclamation is an attempt to prevent depleting the water supply to the extent that water use for human consumption, sanitation, fire protection, and other essential needs becomes endangered.

Immediately upon issuance of such a Proclamation, regulations and restrictions set forth under this Regulation shall become effective and remain in effect until the water supply shortage has ended and the Proclamation rescinded.

Water uses that are regulated or prohibited under this Regulation are considered to be non-essential and continuation of such uses during times of water supply shortages is deemed to constitute a waste of water, subjecting the offender(s) to penalties.

The Drought Management Plan as outlined in Section I — III is hereby approved.

- B. Moderate Drought Phase:** Upon notification by the Drought Response Committee that a Moderate drought condition is present and is expected to persist, and upon determination by CWS that a moderate water supply shortage exists based on trigger levels, CWS will seek

**Charleston Water System
Water Rules and Regulations**

voluntary reductions from its customers in the use of water for all purposes and voluntary reductions on using water during certain peak water demand periods. Specifically, the goal during this phase is to achieve a reduction of 20% in residential water use and 15% in other water uses such as commercial., industrial, institutional, and irrigation; and a reduction in overall water use of 15%. To accomplish this, CWS will take the following actions:

1. Issue a Proclamation to be released to local media, CWS's customers, and to the South Carolina Department of Natural Resources Drought Information Center, that Moderate drought conditions are present for CWS's water system.

2. Provide written notification to the South Carolina Department of Natural Resources Drought Information Center and routinely publish in a newspaper of general circulation in the service area of the water system the voluntary conservation measures that the customers are requested to follow during Moderate drought conditions, including:
 - a. Reduce residential water use to 75 gallons per person per day and a maximum of 300 gallons per household per day;
 - b. Eliminate the washing down of sidewalks, walkways, driveways, parking lots, tennis courts, and other hard surfaced areas;
 - c. Eliminate the washing down of buildings for purposes other than immediate fire protection;
 - d. Eliminate the flushing of gutters;
 - e. Eliminate the domestic washing of motorbikes, boats, cars, etc.;
 - f. Eliminate the use of non-recirculated water to maintain fountains, reflection ponds, and decorative water bodies for aesthetic or scenic purposes; except where necessary to support aquatic life;
 - g. Reduce watering of lawns, plants, trees, gardens, shrubbery, and flora on private or public property to the minimum necessary. Encourage outdoor watering to be done during off-peak hours;

**Charleston Water System
Water Rules and Regulations**

2. Provide written notification to the South Carolina Department of Natural Resources Drought Information Center and routinely publish in a newspaper of general circulation in the service area of the water system the voluntary conservation measures and mandatory restrictions to be placed on the use of water supplied by the utility, including:
 - a. Voluntary reduction of residential water use by the utility' s customers to 65 gallons per person per day and a maximum of 250 gallons per household or ERU per day.
 - b. Control landscape irrigation by the utility's customers by staggering watering times.
 - c. Mandatory restrictions on the use of water supplied by the utility for activities including:
 - Eliminate the washing down of sidewalks, walkways, driveways, parking lots, tennis courts, and other hard surfaced areas;
 - Eliminate the washing down of buildings for purposes other than immediate fire protection;
 - Eliminate the flushing of gutters;
 - Eliminate domestic washing of motorbikes, boats, cars, etc.;
 - Eliminate the use of non-recirculated water to maintain fountains, reflection ponds, and decorative water bodies for aesthetic or scenic purposes, except where necessary to support aquatic life;
 - Eliminate filling or maintaining public or private swimming pools;
 - Eliminate obtaining water from fire hydrants for construction purposes, fire drills, or any purpose other than fire-fighting or flushing necessary to maintain water quality; and
 - d. Limit use of water by commercial and individual customers including, but not limited to, the following:

**Charleston Water System
Water Rules and Regulations**

- Stop serving water in addition to another beverage routinely in restaurants;
 - Stop maintaining water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support aquatic life;
 - Limit irrigating golf courses and any portion of its grounds;
 - Cease water service to customers who have been given a 10-day notice to repair one or more leaks and have failed to do so; and
 - Limit expanding commercial nursery facilities, placing new irrigated agricultural land in production or planting or landscaping when required by site design review process.
3. Intensify maintenance efforts to identify and correct water leaks in the distribution system.
 4. Continue to cease installation of new irrigation taps on the water system.
 5. Publicize widely the penalties to be imposed for violations of mandatory restrictions and the procedures to be followed if a variance in the restrictions is requested.
 6. Expand the use of education and public relations efforts and emphasize the penalties associated with violating the mandatory restrictions.
 7. Provide written notification monthly to the South Carolina Department of Natural Resources Drought Information Center regarding the success of the voluntary and mandatory restrictions.

D. Extreme Drought Phase: Upon notification by the Drought Response Committee that an Extreme drought condition is present and is expected to persist, and upon determination by CWS that an extreme water supply shortage exists based on the trigger levels, CWS will impose mandatory restrictions in the use of water for all purposes and on the times when certain water usage is allowed. Specifically, the goal during this phase is to achieve a reduction of 30% in residential water use, 25% in all other categories of water uses and a reduction in overall water use of 25%. To accomplish these goals, CWS will take the following actions:

**Charleston Water System
Water Rules and Regulations**

1. Issue a Proclamation to be released to the local media, CWS's customers., and to the South Carolina Department of Natural Resources Drought Information Center that Extreme drought conditions are present;

2. Provide written notification to the South Carolina Department of Natural Resources Drought Information Center and routinely publish in a newspaper of general circulation in the service area of the water system the mandatory restrictions to be placed on the use of water supplied by the utility, including:
 - a. Limiting residential water use to 55 gallons per person per day and a maximum of 225 gallons per household or ERU per day.

 - b. Eliminate landscape irrigation by the utility's customers.

 - c. Mandatory restrictions on the use of water supplied by the utility for activities including:
 - Eliminate the washing down of sidewalks, walkways, driveways, parking lots, tennis courts, and other hard surfaced areas;

 - Eliminate the washing down of buildings for purposes other than immediate fire protection;

 - Eliminate the flushing of gutters;

 - d. Limit normal water use by commercial and individual customers including, but not limited to, the following:
 - Stop serving water in addition to another beverage routinely in restaurants;

 - Stop maintaining water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife;

 - Limit irrigating golf courses and any portion of their grounds;

 - Cease water service to customers who have been given a 10-day notice to repair one or more leaks and have failed to do so; and

**Charleston Water System
Water Rules and Regulations**

- Limit expanding commercial nursery facilities, placing new irrigated agricultural land in production, or planting or landscaping when required by site design review process.
3. Intensify maintenance efforts to identify and correct water leaks in the distribution system.
 4. Continue to cease installation of new irrigation taps on the water system.
 5. Other conservation measures would be:
 - a. Reduce the issuance by 50% of new water service connections and contracts for all new water main extensions. As part of the public information process, provide notice to developers of the reduction;
 - b. Encourage all residential water customers to voluntarily reduce overall monthly water usage to the aforementioned goals. If voluntary reduction in meeting these goals are not successful, CWS may, at its option, implement the following excessive use (surcharge) rate schedule for water:

Tier I	0 — 225 gallons/ERU	regular rate
Tier II	225 — 250 gallons/ERU	1.5 times regular rate
Tier III	Over 250 gallons/ERU	2.0 times regular rate
 - c. If the conservation measures of the Regulation or Plan prove inadequate to mitigate the effects of the drought conditions or water supply availability, CWS may take additional actions including, but not limited to:
 - Decreasing the gallon/REU limits in the different tiers; and
 - Reduction of water system pressure as needed.
 6. Publicize widely the penalties to be imposed for violations of mandatory restrictions and the procedures to be followed if a variance in the restrictions is requested.
 7. Expand the use of education and public relations efforts as conducted under the Moderate and Severe drought phase and emphasize the penalties associated with violating the mandatory restrictions.

**Charleston Water System
Water Rules and Regulations**

8. Provide written notification monthly to the South Carolina Department of Natural Resources Drought Information Center regarding the success of the mandatory restrictions.

E. Rationing: If a drought threatens the protection of public health and safety, CWS is hereby authorized to ration water.

F. Enforcement of Restrictions: If any customer of CWS fails to comply with the mandatory water use restrictions of this Regulation, the customer shall be given a written notice of such failure to comply, which cites the date of said violation, and shall be assessed surcharges in accordance with the following surcharge and shall be added to the customer's water bill;

First violation — \$25.00 surcharge shall be added to the customer's water bill;

Second violation — an additional \$25.00 surcharge shall be added to the customer's water bill;

Third violation — the customer's water service shall be terminated and restored only after payment of a surcharge of \$50.00 in addition to all previously assessed surcharges.

Law enforcement agencies and other authorized agencies or designated employees in the respective jurisdiction which is being supplied water by CWS, shall diligently enforce the provisions of the Drought Response Regulation.

G. Variances: Customers, who in their belief are unable to comply with the mandatory water use restrictions of this Drought Response Regulation, may petition for a variance from restrictions by filing a petition with CWS within ten (10) working days after the issuance of the Proclamation requiring water use restrictions.

All petitions for variance shall contain the following information:

- A. Name and address of the petitioner;
- B. Purpose of water usage;
- C. Special provision from which the petitioner is requesting relief;
- D. Detailed statement as to how the curtailment declaration adversely affects the petitioner;

**Charleston Water System
Water Rules and Regulations**

- E. Description of the relief desired;
- F. Period of time for which the variance is sought;
- G. Economic value of the water use;
- H. Damage or harm to the petitioner or others if petitioner complies with the Regulation;
- I. Restrictions with which the petitioner is expected to comply and the compliance date;
- J. Steps the petitioner is taking to meet the restrictions from which the variance is sought and the expected date of compliance; and
- K. Other information as needed.

In order for the variance to be granted, the petitioner must demonstrate clearly that compliance with the Regulation cannot be technically accomplished during the duration of the water supply shortage without having an adverse impact upon the best interests of the community. CWS is authorized to grant the request for variance.

In addition, CWS is authorized to grant temporary variances for existing water uses otherwise prohibited under the Regulation if it is determined that failure to grant such variances could cause an emergency condition adversely affecting health, sanitation, and fire protection for the public. No such variance shall be retroactive or otherwise justify any violation of this Regulation occurring prior to the issuance of the variance. Variances granted by CWS shall include a timetable for compliance and shall expire when the water supply shortage no longer exists, unless the petitioner has failed to meet specified requirements.

H. Status of the Regulation

- 1) If any portion of this Regulation is held to be unconstitutional for any reason, the remaining portions of the Drought Response Regulation shall not be affected.
- 2) The provisions of this Regulation shall prevail and control in the event of any inconsistency between this Regulation and other rules and regulations of CWS.

**Charleston Water System
Water Rules and Regulations**

- 3) Nothing in this Regulation shall be deemed to invalidate or be interpreted in a manner inconsistent with any covenants now in effect and given as security to holders of bonds secured by revenues of the system.

**Resolution of CWS Adopting the Drought Management Plan and Drought
Response Regulation**

BE IT RESOLVED that CWS does hereby approve and adopt the Drought Management Plan and Drought Response Regulation as an addendum to the *Water Rules and Regulations*; and

BE IT FURTHER RESOLVED that the Chief Executive Officer, Chief Operating Officer, or the Capital Projects Officer is authorized to issue, in the event of a water shortage, a Proclamation activating the regulations and restrictions contained in the Drought Response Regulation, to remain in effect until the water shortage comes to an end and the Proclamation is rescinded by CWS; and

BE IT SO RESOLVED this 11th day of July, 2008.

S/ Kin Hill, PE

Attested by: Kin Hill, PE, Chief Executive Officer