

Beatty Water and Sewer

Rules and Regulations

AMMENDMENT TO RULE NO. 19

A REGULATION OF THE BEATTY WATER & SANITATION DISTRICT, BEATTY, NV RELATING TO THE MUNICIPAL WATER AND SEWER SYSTEM; PRESCRIBING REGULATIONS FOR HOOKING UP AND OBTAINING SERVICE FROM THE MUNICIPAL SYSTEM; ESTABLISHING RULES GOVERNING THE INSTALLMENT OF FACILITIES FOR SERVICE FROM THE SYSTEM; REGULATING THE OPERATION OF THE MUNICIPAL SYSTEM; PRESCRIBING FEES, CHARGES AND ACCOUNTING PROCEDURES FOR THE MUNICIPAL SYSTEM; PROHIBITING CERTAIN CONDUCT OR DISCHARGES THAT INTERFERE WITH EFFICIENT OPERATION OF THE SYSTEM; PROVIDING FOR ENFORCEMENT OF THE PROVISIONS OF THIS REGULATION.

REGULATION APPROVED AND IMPLEMENTED BY THE BOARD OF TRUSTEES:

Section 1. Hooking Up and Obtaining Service from the Municipal System.

A. Mandatory Hook Up. All owners of lots, properties, buildings or residences within the District shall construct or cause to be constructed adequate private service lines to connect said lots, properties, buildings or residences to the nearest accessible mainlines of the municipal system within sixty (60) days after Board approval.

B. Application for Hook Up and Service. No connection to the municipal sewer system shall be established until the owner (or his duly authorized agent) of the lot, property, building or residence in question has submitted to the District an application for water and sewer hook-up and service, and until such owner (or agent) has demonstrated compliance with all applicable provisions of this regulation.

(1) All applications for municipal services shall be made at the office of the District located at 101 N 2nd Street, Beatty, NV; and the applications shall set forth the name of the owner (or agent), building permit number if service is sought to a new or enlarged structure and such permit is required by law, size of connection requested, description of the property to be served, and signature of the owner (or agent) agreeing to conform to the ordinances, rules and regulations of the Beatty Water & Sanitation District. The occupant of property is presumed either to be the owner of such property or to be the owner's duly authorized agent; and unless or until contrary information is furnished in writing to the Board of Trustees, the owner shall be bound by the actions and representations of such occupant.

(2) An application, containing the above information, shall be required for any change in water and sewer services, made at the request of the property owner (or agent) and the cost of such change shall be borne exclusively by said owner (or agent).

(3) If application is made for a connection that requires extension of water and/or sewer mains, either within or without the District, such application shall be referred to the Board of Trustees after review by District Engineer. The Board of Trustees shall determine whether the application shall be granted, and if granted, the terms and conditions upon which the extension shall be made. Provided, one such condition of the authorization of an extension shall be that the extended water and/or sewer main becomes and remains at all times the sole and exclusive property of the District.

C. HOOK UP FEE. An application for water and sewer hook-ups and service shall be accompanied by payment in cash, certified check or money order as required by the permit application. The hook-up fee shall be retained by the District to defray the cost of reviewing the application, conducting such inspections as this ordinance or the circumstances of the proposed connection may require, opening the service account and other administrative actions.

D. APPROVAL OF APPLICATION. If an application is approved, notation of such approval shall be made and signed by the Board of Trustees and General Manager upon a copy of the application returned to the applicant.

Section 2: Installation of municipal service facilities.

A. Cost and Standards. All installations of connections with the municipal system shall be made at the owner's (agent's) expense and shall comply with the requirements set forth in applicable national plumbing codes and such other standard as are prescribed by State and Federal codes. The size of private service lines shall be reasonably prescribed by the District Engineer.

B. Compliance with Standards. The District may, through its employees or persons or firms under contract to the District, inspect connections made to the municipal system, and, if the District gives notice to an applicant that such inspection will be made, the applicant shall not cover any pipeline or connection until the inspection is made and the work approved. Notwithstanding the provision in this subsection for inspections, and any applicant, or his successor, who installs any pipeline or connect in a manner violates the codes and standards specified above shall cause correction to be made at his own expense promptly following demand by the District.

C. Separate Service. Each lot, property, building or residence using the municipal system shall be served by a separate water and sewer service for each residence. Capital fees apply for each separate service and monthly charges will be applied for each service.

D. Freezing, Leaks and Blockages. All private service lines shall be placed at whatever depth is necessary in order to avoid all reasonable likelihood of freezing and at the direction of the District. The District is not responsible for freezing, leaks or blockages on the residential property.

E. Responsibility of Owner (or Agent). The property owner (or agent) shall be responsible for the initial installation and maintenance of private service lines from the point of use of said private water and sewer lines to the property boundary line of the owner. The District shall be responsible for initial installation and maintenance of the sewer line from the owner's property line to the District's main lines except in case where the required maintenance or repair of said line is due to the act or fault of the owner (or agent), and in those cases the owner (or agent) shall be responsible for payment of said repair or maintenance.

Section 3. Enforcement.

A. Deprivation of Water Services. If the District determines that any owner (or agent) of property or premises that are or could be served by the municipal system or any contractor or other person acting at the direction of the owner (or agent) has engaged in any of the prohibited conduct enumerated in the preceding section, or has otherwise violated the provisions of this Regulation, the District may give notice in writing to such owner (or agent) that water services will be withheld or terminated, unless the owner (or agent) applies in writing within twenty (20) days for a hearing before the Board of Trustees and during that hearing shows cause why he should not be deprived of water services. In taking its determination, following such a hearing, the District may direct that water services be withheld or terminated, that water services be furnished, or that water services be furnished upon such terms and conditions as the District finds reasonably necessary to protect the municipal system.

B. Criminal Penalties. It shall be unlawful and punishable as a misdemeanor for any person knowingly to engage in any prohibited conduct enumerated in the foregoing section, or otherwise knowingly to violate any of the provisions of this Regulation. Each day that such prohibited conduct or violation occurs or continues shall be deemed a separate offense. In the event of such prohibited conduct or violation, the District, in addition to or in lieu of such criminal prosecution, may bring an action for damages and/or injunctive relief; and, if the District prevails in such action, it shall be entitled to an award of its costs and a reasonable attorney fee.

Section 7. Ratification. All services furnished, fees, revenues collected, and all other action taken with respect to the District's municipal system prior to the effective date of this regulation, is hereby ratified.

Section 8. Repeal of Conflicting Ordinances. From and after the effective date of this regulation, all prior rules and regulations which conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 9. Severability. If any provision contained within this regulation should be held invalid by any Court of competent jurisdiction, such holding shall not affect the validity of any of the remaining provisions of this regulation.

Section 10. Effective Date. The requirement this regulation will be read at the scheduled Board meeting and is hereby dispensed with, and this regulation shall become effective upon its passage, approval and publication as provided by law.

PASSED BY THE BOARD OF TRUSTEES AND APPROVED BY THE GENERAL MANAGER of the BEATTY WATER & SANITATION DISTRICT, this 9th day of January, 2017.

By: _____
General Manager

Attest: _____
Board Secretary

Seal: