

**TOWN OF NOTASULGA
WATER USER'S AGREEMENT**

**STATE OF ALABAMA COUNTIES OF
MACON & LEE TOWN OF NOTASULGA**

THIS AGREEMENT, between the Town of Notasulga, a municipal corporation organized and existing, under and by virtue of the laws of the State of Alabama, hereinafter called the 'Water System' and the undersigned 'Water User', hereinafter called the 'Water User'.

WITNESSETH THAT, Whereas, the 'Water User' desires to purchase water for domestic, commercial, agricultural, industrial or other uses, from the 'Water System', and to enter into a User's Agreement as required by the 'Water System'.

NOW THEREFORE, in consideration of the mutual covenants, promises and agreements herein contained, it is hereby understood and agreed:

1. The 'Water System' shall furnish, subject to the limitations as provided for in the Service Rules and Regulations hereinafter provided, for such quality of water as the 'Water User' may desire in connection with his occupancy of property located at Notasulga, Alabama. The 'Water User' will be required to pay an \$800.00* tap fee before installation of a new service. There will also be an impact fee of \$600.00 added at this time for residential customers. Commercial 1" & 1 1/2" meters will be \$1,000.00 plus boring expenses, Commercial 2" meter will be \$1,350.00 plus boring expenses.
2. The 'Water User' shall install and maintain at their own expense a service line which shall begin at a point designated by the 'Water System' at this property line and extend to the dwelling and other portions of their premises. The 'Water User' shall furnish and maintain a private cut off valve on the Water Users side of the meter. The 'Water User' shall furnish and maintain on the Water User's side of the meter, a backflow prevention device (check valve). The approved check valve for the Town of Notasulga, Alabama, 'Water System' is the Muler, Dual Check Backflow Prevention Device, Model No. H-14272. The check valve and cut off valve are available for purchase at Town Hall in Notasulga. * The meter box will be kept clear of debris by the 'Water User' and accessible to the 'Water System' personnel at all times.
3. The Water User's service line shall connect with the distribution system of the 'Water System' at the place designated by the 'Water System', provided that the 'Water System' has determined in advance that the 'Water System' is of sufficient capacity to permit delivery of water to that point. Under no circumstances shall a 'Water User' connect, or allow the connection of the Water Users' service line with the distribution system of the 'Water System' until such time as the Water User's premises is properly connected to either a sewer line of the Town of Notasulga, Alabama or a septic tank which is properly approved and installed in accordance with the instructions of the

State of Alabama, Department of Public Health. Any user not properly connected may be prosecuted as allowed by the laws of the State of Alabama.*

4. The 'Water User' shall pay for such water at such rates, time and place as shall be determined by the 'Water System'. Rates are subject to change at any given time. Full payment of the bill for water will be accepted. Partial payments are not acceptable. A partial payment will be refused.
5. Pressures may exceed 50 psi (per square inch) in certain areas and reducers are the responsibility of the 'Water User'. The reducers shall not be within the meter box.
6. The 'Water System' shall purchase and install a cut off valve and a water meter, in each service, provided use of water is immediately desired. Such cut off valve shall be installed either off the Water User's premises, or upon the Water User's property, within three (3) feet of the property line. The 'Water System' shall have exclusive right to use such cut off valve and water meter and to turn it on and off.
7. The 'Water System' shall make the final determination in any questions of location of any service line connection its distribution system and shall determine the allocation of water to Water User's in the event of a water shortage.
8. The 'Water System' may shut off the water of a 'Water User' who allows a connection or an extension to be made to his/her service line for the purpose of supplying water to another user, or connections of another source of any type to the User's supply*, cross-connection control devices may be required on existing services and shall be required on new service connections. Cross-connection control information may be obtained from the 'Water System'*. Any alternative metering must be approved by the 'Water System'. Water User's may, under no conditions, have multiple users. Master meters shall be required for mobile home parks, subdivisions and in certain circumstances preventing standard meter installation. One 'Water User' shall agree to be responsible for the bill, maintenance and compliance with the rules and regulations. Charges will be billed for each residence, combined on one (1) bill and sent to the responsible person. Backflow prevention devices, as described in Section 2 of this agreement, shall be installed and inspected between all multiple users as well as the master meter.*
9. Water charges will be sent on a postcard type bill on or near the FIRST of each month. The failure of a 'Water User' to pay water charges duly imposed shall result in the automatic imposition of the following penalties:
 - a. Payments not received on or before the 15th of each month will be subject to a penalty of ten (10%) percent of the delinquent account. (Water Charges Only).
 - b. Payments not received on or before the last day of each month will result in the water being cut off from Water User's property.

- c. Renters-when opening a water account must show proof of a lease or receipt of rent payment. The deposit amount for renter is \$150.00 (One Hundred Fifty Dollars plus an additional one hundred (\$100.00) non-refundable activation fee.)

Delinquent accounts will be reflected on the monthly water bill. Attempts to directly contact the 'Water User' will be made, but are not necessary for the disconnection of the water service. **SECOND NOTICES ARE NOT REQUIRED.** Water service will be locked on the 6th of the month. Water service's will be locked with an additional fee of (\$30.00) added to the account for those customers who have not paid before the 6th of the month. If a payment is not received by 5PM on the 5th of the month, customer will be charged the \$30.00 lock fee. The bill must be paid in full before the water service will be reconnected. This includes: the delinquent amount, the current water bill and the \$30.00 lock fee; even if we have not disconnected your water service. (If dates reflected fall on a weekend, holiday or when the payment office is closed for any reason, the next business day will apply.)

If reconnection is made after normal business hours, an additional thirty dollar (\$30.00) fee is charged to the account, if due to no fault of our own.

- 10 No person, related or unrelated, that is in a household shall be allowed to open a water account in their name while the account has an outstanding balance. After payment of the outstanding balance a new account may be opened in a different name.
- 11 In the event it becomes necessary for the 'Water System' to shut off the water from a Water User's property for violation of the Rules and Regulations, a fee will be charged for a reconnection of the service. Temporary or partial failure of delivery of water by the 'Water System' shall be remedied with all possible dispatch. The 'Water System' shall not be responsible for damages created by the disconnection due to the violation of the Rules and Regulations. Any tampering with the Town of Notasulga 'Water System' or any suppliers to the Town of Notasulga 'Water System' may result in necessary disconnection to any or all users and a \$600.00 tampering fee will be added. Any tampering maybe investigated and prosecuted by the laws of the State of Alabama.
- 12 The 'Water User' may, when in disagreement with the billing and/or usage, request a change of a meter. The meter will be tested. The results of the test will be made known to the 'Water User'. If the meter is faulty, the 'Water System' shall absorb the costs of a replacement. If the meter is accurate, the 'Water User' will be charged a fee of Seventy-Five (\$75.00) dollars and be reflected on the next water bill.
- 13 Any request by the 'Water User' to re-read or determine any water issues which are not caused by the 'Water System' will result in a minimum fee of thirty dollars (\$30.00) for the first hour, plus fifty dollars (\$50.00) per additional hours which will be reflected on the 'Water System's' next billing cycle. All water users requesting

meters to be turned on for maintenance shall pay a thirty dollar (\$30.00) unlock and re-lock fee plus the normal minimum rates in effect. If meters will remain unlocked and normal billing plus deposits will apply unless requested by the 'Water User' to be locked. If requested to be re-locked no additional fee will be charged.

14 Leak Adjustments: Only one (1) adjustment will be allowed per meter in a 24 month period any exceptions must be approved by the mayor or town council.

- a. Normal usage to 50,000 gallons – 30%
- b. 50,000 to 100,000 gallons – 35%
- c. 100,00 to 250,000 gallons – 40%
- d. 250,000 gallons and above – 50%

15 All payments by waters users will be made by cash, certified funds, or checks will be accepted with conditions as follows. If the 'Water System' receives two (2) returned checks for any reason within a six (6) month period no check can be presented for payment until after a twelve (12) month period of time has expired.

The foregoing, notwithstanding, the 'Water System' reserves the right to make or amend the Rules and Regulations of the 'Water System' from time to time, and the 'Water User' agrees to abide by such changes upon notice thereof. Any exceptions will be at the discretion of the Town Clerk or Mayor with the authority of the Mayor and Town Council of the Town of Notasulga, Alabama, as given with passage of these Rules and Regulations this the 13th day of September 1982.

The 'Water User' understands that a refundable security deposit of \$100.00 (One Hundred Dollars) for home owners will be collected prior to any connection of service and for renters the deposit of \$150.00 (One hundred Fifty Dollars) plus a \$100.00 dollar non-refundable activation fee will be collected, which stated that a deposit shall be applicable to any unpaid balance owed by the 'Water User' to the 'Water System' for water service rendered and not paid. Persons obtaining meter connections for barns, garages, shops or other similar connections will not be charged an additional security deposit provided by the main connection, according to the records, is and has been in good standing with the 'Water System'. A picture ID and social security number will be required to open a water account.

***Amended December 10, 1984, September 14, 1987, September 9, 1991, October 14, 1991, April 10, 1995, August 12, 1996, February 10, 1997, November 20, 2000, August 20, 2001, December 17, 2001, May 20, 2002, October 21, 2002, April 17, 2006, December 18, 2006 and October 18, 2010, May 20, 2013, January 16, 2018.**