

**ORDINANCE OF THE PEARLINGTON WATER AND SEWER
DISTRICT OF HANCOCK COUNTY, MISSISSIPPI
PROVIDING FOR AN ENFORCEABLE WATER TAP-IN RESTRICTION**

Be it resolved that:

Section 1. When public water shall become available to any habitable property in the District, the property owner shall be required to connect to said public water system within 60 days and the private source shall be disconnected. Water shall be deemed to be available as long as the distribution lines abut the property line of the owner of the property. Failure to comply with the 60 day connection interval will result in penalties hereinafter set forth.

Section 2. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public water or appurtenance thereof without first obtaining a written permit from the District.

Section 3. There shall be two (2) classes of water permits: (a) for residential and (b) for service to establishments which are commercial and industrial use. In either case, the owner or his agent shall make applications on a special form furnished by the District. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Manager.

Section 4. As to low to moderate income (as defined by Federal regulations) residential applicants, during the initial construction of the system, all costs and expenses incident to the installation and connection of the building to the water main shall be borne by the District. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of water to the building. After construction of the system has been completed the District shall publish a notice advising property owners that they must connect to the system and shall establish a cut-off date for connection at the cost of the District. This notice shall be in compliance with federal regulations. Thereafter, all costs and expenses incident to the installation and connection of the property to the water main shall be borne by the property owner. All other applicants shall be responsible for all costs and expenses incident to the installation and connection of the property to the water main.

Section 5. Upon central water becoming available to any property, it shall be unlawful for any person, firm or corporation to drill a well or provide water from another source. All artesian or other wells shall be capped and the flow of water there-from stopped upon central station water of the District becoming available, except in cases where water service from such well was in effect upon the passage

of this ordinance. Any such existing water well shall only be used for non-potable water uses such as irrigation, farm, swimming pools, etc. Use of such water well for any purpose shall not relieve the resident from the obligation to pay the District for water and the District shall charge not less than the minimum monthly water charge to all customers (commercial or residential) as from time to time adopted by the Board of the District. Should any said well fail to produce sufficient or quality water, then it shall be abandoned and capped and anyone receiving water shall then apply to the District for service if such service of the district is economically feasible upon such terms as shall then be in force. Should such service be found by the District to be uneconomical, then the property owner may apply to the District for a permit to re-work such well.

Section 6. Any person found to be violating any provision of this ordinance shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 7. Any person who shall continue any violation beyond the time limit provided for shall be guilty of a misdemeanor and on conviction thereof shall be fined in an amount not to exceed one hundred dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. Additionally, chronic violation of the terms of this ordinance may result in termination of the water service.

Section 8. Any person violating any of the provisions of this ordinance shall become liable to the District for any expense, attorney fees, loss or damage occasioned by the District by reason of such violation.

Section 9. Any person failing to pay the service charge of the District shall be subject to termination of water service until such sum is paid.

The above Ordinance was reduced to writing and read and considered section by section at the regular public meeting of the Board of Commissioners of the Pearlinton Water and Sewer District of Hancock County, Mississippi and on motion duly made for the adoption of said Ordinance and seconded, a vote was taken as follows:

Commissioner James Lamy	voted	YES
Commissioner Denise Wilkinson	voted	YES
Commissioner Cabrina Bell	was	ABSENT
Commissioner Rosa Jackson	voted	YES
Commissioner VACANT		

Thereupon, the Chairman declared the Ordinance duly adopted this the 16th day of September, 2015 and declared same to be in full force and effect according to law.