

# **PITTSYLVANIA COUNTY CODE**

## **CHAPTER 21**

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## **PROPOSED ORDINANCE**

**BE IT HEREBY ORDAINED BY THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY, VIRGINIA, THAT THE PITTSYLVANIA COUNTY CODE OF 1975 BE AMENDED BY CHANGE OF SECTION 21-3 APPOINTMENT OF MEMBERS; TERMS OF OFFICE.**

The Pittsylvania County Service Authority is a legal Authority established by the incorporated political subdivision of Pittsylvania County, Virginia, wherein the Board of Supervisors shall appoint a Board of Commissioners for the Service Authority. The Board of Commissioners shall consist of seven members, one from each Election District. The Commissioner shall, serve at the pleasure of the Board of Supervisors for a term of four years on staggered terms.

The successor of each Commissioner shall be appointed by the Board of Supervisors for a term of four years and serve until his successor shall be duly appointed and qualify except that persons appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Authority shall be eligible for reappointment.

**THIS ORDINANCE WAS DULY PROPOSED AND ADOPTED AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS DECEMBER 6, 1982.**

**CHAPTER 21**

**Article I.**

**Water and Sewer Authority**

**SEC. 21-1. CREATION.**

In compliance with the Virginia Water and Sewer Authorities Act (Section 15.2-5100 to 15-2-5158, Code of Virginia, 1950, as amended), the Board of Supervisors of Pittsylvania County, Virginia, pursuant to a resolution signifying its intention to create a Water and Sewer Authority, which shall be a public body politic and corporate, hereby certifies:

**SEC. 21-2. AUTHORITY; ADDRESS.**

This Authority is formed under the Virginia Water and Sewer Authority Act, its name shall be “PITTSYLVANIA COUNTY SERVICE AUTHORITY” (PCSA) and, the address of its principal office shall be Chatham, Virginia.

**SEC. 21-3. APPOINTMENT OF MEMBERS; TERMS OF OFFICE.**

The name of the incorporating, political subdivision is PITTSYLVANIA COUNTY, VIRGINIA, and the names and addresses of the first members of the Board of said Authority are, respectively, as follows, each of whom maintains a residence in Pittsylvania County, Virginia, and each of whom shall continue in office for a term expiring on the date set opposite his name and until his successor shall be duly appointed and qualify:

<u>Name</u>	<u>Address</u>	<u>Expiration of Term of Office</u>
E.L. Moore	2715 Westover Drive Danville, Virginia	4 Years January 8, 1977
John G. Boatwright	Dans Hill Danville, Virginia	3 Years January 8, 1976
T. Ryland Dodson	Ringgold, Virginia	2 Years January 8, 1975
Charles Ran Turner	Blairs, Virginia	2 Years January 7, 1975
Frank W. Mobley	1858 Franklin Turnpike Danville, Virginia	1 Year January 8, 1974

**PITTSYLVANIA COUNTY SERVICE AUTHORITY COMMISSIONERS  
(Present Members)**

<i>Name</i>	<i>District</i>	<i>Phone Number</i>	<i>Term</i>
Bobby G. Atkinson 1012 Countryside Drive Ringgold, VA 24586	Dan River	822-6638	1/10/05-1/09/09
Coy E. Harville 548 Riverbend Road Danville, VA 24541	Westover	792-1854	1/07/08-12/31/11
William Larry Estes 10689 Martinsville H'way Danville, VA 24541	Tunstall	685-7448	3/01/07-2/28/11
Pat Allbeck 1980 Grit Road Hurt, VA 24563	Staunton River	324-4713 324-9241	2/05/05-2/04/09
Calvin Doss P.O. Box 100 Gretna, VA 24557	Callands-Gretna	656-3206	1/01/06-12/31/09
Bobby Burnett 2252 Pleasant Gap Drive Dry Fork, VA 24549	Chatham	724-7262 836-1831	Term Expires 2/08/08
Willie T. Fitzgerald P.O. Box 871 Chatham, VA 24531	Banister	432-9418	2/07/07 – 2/06/11
R. Lee Yancey Clement & Wheatley 549 Main Street Danville, VA 24541	Attorney	793-8200	

The successor of each member shall be appointed by the Board of County Supervisors for a term of four (4) years and until his successor shall be duly appointed and qualify, except that an person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Authority shall be eligible for reappointment.

#### **SEC. 21-4. PURPOSES.**

The purposes for which said Authority is to be created are for such projects and powers as are specified and authorized by said Act, to-wit; Section 15.2-5100, Code of Virginia, 1950, as amended, reserving, however, the right of the Board of Supervisors of Pittsylvania County, Virginia, to designate areas within the said County of Pittsylvania to be served pursuant to any of said powers of said Authority. Further, The said Authority will become the Assignee of the County of Pittsylvania, Virginia, and take the place of the said County to and under an Agreement dated October 11, 1972, between the City of Danville, a Municipal Corporation of the State of Virginia and the County of Pittsylvania, said Authority assuming all the terms and conditions of said Agreement.

#### **SEC. 21-5. PROJECTS.**

To acquire, finance, construct, operate, and maintain one or more water systems and one or more sewer systems, or any combination thereof all as described in a report entitled "Feasibility Report on Water and Sewerage Facilities for the Danville Environs of Pittsylvania County, Virginia", dated May 15, 1973, as prepared by Langley, McDonald and Overman, Consulting Engineers, copies of which are on file in the Office of the Clerk of the Circuit Court of Pittsylvania County, Virginia, the jurisdictional area.

#### **SEC. 21-6. DESCRIPTION OF JURISDICTIONAL AREA.**

Beginning at the intersection of the northern right-of-way line of U.S. Route 58 West the eastern right-of-way line of Virginia Route 872; running thence in a northeasterly direction in a straight line for a distance of approximately 0.85 mile to the intersection of the western right-of-way line of Virginia Route 863 and the southernmost right-of-way line of Virginia Route 878; thence running northeasterly along said right-of-way line of Virginia Route 863 approximately 1.8 miles, crossing Sandy River, to the intersection of said right-of-way with the southernmost right-of-way of Virginia Route 750; thence continuing in a northeasterly direction along the western and northern right-of-way of Virginia Route 863 a distance of approximately 3.0 miles to the intersection of the last mentioned right-of-way with the western right-of-way of Virginia Route 746; thence continuing along the western right-of-way of Virginia Route 863 in a northeasterly direction a distance of approximately 0.70 mile to the intersection of the last mentioned right-of-way and the northern right-of-way line of Virginia Route 719; thence in an easterly direction a distance of approximately 1.12 miles along the last mentioned right-of-way to its intersection with the northeastern right-of-way line of Virginia Route 41; thence running south along the last mentioned right-of-way line approximately 0.15 mile to the intersection of the said right-of-way line with the north right-of-way line of Virginia Route 719; thence continuing a distance of approximately 1.3 miles generally in the easterly direction along the last mentioned right-of-way line to the intersection of the said right-of-way line with the northern right-of-way of Virginia

Route 745, thence generally in a southerly and easterly direction along the northern eastern right-of-way of the last mentioned Route for a distance of approximately 2.05 miles to its intersection with the northern right-of-way line of Virginia Route 720; thence running generally in a southerly direction for approximately 0.18 miles along the last mentioned right-of-way line, crossing U.S. Route 29, to the intersection of the northern right-of-way line of Virginia Route of Virginia Route 721 with the eastern right-of-way line of Virginia Route 720; thence continuing in a easterly direction along northern right-of-way of Virginia Route 721 approximately 0.83 mile to the intersection of the last mentioned right-of-way line with the eastern right-of way of Virginia Route 719; thence running in a southeasterly direction along the last mentioned right-of-way line a distance of approximately 1.1 miles to the intersection of said right-of-way with the eastern right-of-way line of U.S. Route 360; thence running southerly along the last mentioned right-of-way line a distance of approximately 1.5 miles to the intersection of the last mentioned right-of-way line with the northern right-of-way line of Virginia Route 723; continuing generally in a southerly and easterly direction approximately 1.35 miles along the last mentioned right-of-way to its intersection with the eastern right-of-way line of Virginia Route 729; thence continuing southerly along the last mentioned right-of-way line approximately 3.1 miles to the intersection of same right-of-way line with the southern right-of-way line of U. S. Route 58 East; thence in a southerly direction along a straight line for a distance of approximately 2.7 miles to the intersection of the centerline of the Dan River with the southern boundary of Pittsylvania County, said boundary being the common boundary between the State of North Carolina and the Commonwealth of Virginia; thence along aforesaid boundary in a westerly direction a distance of approximately 9.7 miles to the intersection of same boundary with the east bank of the Dan River; thence running northerly in a straight line approximately 4.5 miles to the place of beginning, with portions of the area herein before described being located in the Tunstall, Westover, Blairs and Dan River Magisterial Districts of Pittsylvania County, Virginia. The initial construction projects generally consisting of the areas of Westover Hills, Mount Hermon, Glenwood and South Danville, all of which are more fully described in the hereinbefore mentioned Engineering Report.

**SEC. 21-7. ESTIMATED CAPITAL COST.**

The preliminary estimated capital cost of said projects is \$9,500,000 dollars. The cost breakdown is as follows:

Water Facilities Improvements:

Estimated Construction Costs	\$2,083,800	
Estimated Incidental Costs	<u>866,200</u>	
Total Estimated Project Cost		<u>\$2,950,000</u>

Sanitary Sewer Facilities Improvements:

Estimated Construction Costs	\$4,632,400
Estimated Incidental Costs	<u>1,917,600</u>

Total Estimated Project Cost \$6,550,000

TOTAL ESTIMATED COST OF WATER AND SEWAGE PROJECTS: \$9,500,000

A full description of estimated costs is provided in Table No. 5 of the aforementioned Engineering Report.

The initial rates estimated by the aforesaid responsible engineers for services for the proposed projects are as follow:

**SEC. 21-8. CONNECTION CHARGES.**

1. Water Service Connection Charge: The water service connection charge shall be four hundred (\$400) dollars for each residence or equivalent residential unit and for each small residential unit and for each small business with an average water consumption equivalent to that of a single residence. For industrial or commercial establishments or others with large water consumption demands the connection charge shall be based upon estimated water consumptions required to meet both domestic and fire demands and negotiated accordingly.
2. Sewer Service Connection Charge: The sewer service charge shall be eight hundred (\$800) dollars for each residence or equivalent residential unit and for each small business with the average sewage discharge equivalent to that of a single residence. For industrial or commercial establishments or others with larger sewage discharges and service demands, the connection charges shall be based upon estimated water consumptions and/or sewage discharges required to meet both domestic and other demands and negotiated accordingly.

**SEC. 21-9. SERVICE CHARGES.**

1. Water Service Charge: The. Minimum monthly water service charge shall be six dollars and fifty cents (\$6.50) per residence or equivalent for the first six thousand (6,000) gallons of water consumed per month and one (\$1.00) dollar per one thousand (1,000) gallons thereafter. Industrial and commercial water service charges shall be based upon the actual water consumption and upon a rate of one (\$1.00) dollar per one thousand (1,000) gallons with a minimum monthly availability charge being applied in accordance with the service requirements of each connection.
2. Sewer Service Charge: The minimum monthly sewer service charge shall be eight dollars and fifty cents (\$8.50) per residence or equivalent. Industrial and commercial service charges shall be based upon the actual water consumption and upon a rate of one dollar and forty cents (\$1.40) per one thousand (1,000) gallons with a minimum monthly

availability charge being applied in accordance with the service requirements of each connection. Premises not discharging the entire volume of water consumed in the sewers will be allowed a reduction in charge, provided the customer installs, at his expense, a meter or meters, or other positive means of measurement, satisfactory to the Authority, of the volume either discharged to not discharged into the sewers. Customers using private water--supplies may be required to install, at their own expense, a meter or other device for determining the volume of sewage discharged into the sewers.

3. Billing: Bills for both water and sewerage service shall be rendered monthly to each of the respective customers.

#### **SEC. 21-10. ACCOUNT CHARGE.**

An account charge in the amount of five (\$5.00) dollars for each new water and/or sewer service connection and for each transfer of service shall be assess against the owner. The purpose of this charge is to defray the cost incurred in clerical and bookkeeping activities, the turning on of service and meter reading required by each new service or transfer of service.

#### **SEC. 21-11. INSPECTION CHARGE.**

An inspection charge in the amount of ten (\$10.00) dollars shall be assessed against the owner for each water and/or sewer service connection is made to the Authority's water and/or sewerage systems, respectively.

#### **SEC. 2-12. FIREPROTECTION, SERVICE CHARGE.**

A fire protection service charge shall be assessed against the political subdivision in which the Authority's water system is constructed. Its purpose is to defray some of the cost of installing water mains, reservoirs and fire hydrants of sufficient size to provide fire protection service within the project service areas and to all properties adjacent to the system. The annual service charge shall be computed on the basis of two hundred (\$200) dollars per fire hydrant. Bills for the fire protection service shall be rendered annually at the beginning of each fiscal year to the respective political subdivision and its governing body.

#### **SEC. 21-13. ENFORCEMENT OF CHARGES AND FEES.**

The owners of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, presently existing or constructed subsequent to the installation of the hereinbefore described water and sewerage systems and situated within the project areas of the Authority and a butting on any street, alley, right-of-way or easement in which there is located a public sanitary sewer and/or water main at a distance not greater than two hundred (200) feet from such houses, buildings or properties, shall be required to install suitable toilet and other disposable liquid waste facilities therein and to connect such facilities directly with the public sewer and water main.

No public water main or sanitary sewer line or systems shall be constructed along any street in the Service Area until at least fifty one (51) percent of the property owners fronting the street, road or highway shall have agreed to or petitioned the Pittsylvania County Service Authority for such water or sewer service. Where such construction is agreed to or petitioned for by the property owners, the feasibility and advisability to construct such water or sewer lines or systems shall be determined by the Pittsylvania County Service Authority. If connection is not made to the systems upon the completion of the particular system, the owner, occupant, or tenant shall have thirty (30) days to connect to the system. In the event the connection is not made at the expiration of such thirty (30)-day period the connection fee is then due and payable to the Authority the same as if the connection had been made. A service charge applicable to the property, as if the connection had been made, shall begin to accrue as of the expiration of such thirty day period and shall be payable to the same as if such connection had been made as of that date.

The above stated rates and charges shall be subject to increase or other adjustment to the extent found necessary.

#### **SEC. 21-14. EXCLUSIVE AUTHORITY.**

No other Authority has been created under the provisions said Act serving the whole or part of the same area for the same purposes, and none of the powers granted by said Act shall be exercised by the Authority in construction, improvement, maintenance, extension of operation of any project or projects which in whole or in part shall duplicate or compete with existing utilities, public or private, serving substantially the same purposes. **(B.S.M. 2-5-73, amended 9-4-73, 2-4-74)**

### **Article II.**

#### **Sewer and Privies**

#### **SEC. 21-15. REQUIREMENT.**

It shall be unlawful for the owner of any house used as a human habitation, any warehouse, any public building, or other place where human beings congregate or any employed in the County the County of Pittsylvania to occupy or to rent or lease the same for occupancy by any person, or firm or corporation, or to permit the same to be occupied by any person, firm, or corporation, or any person, firm, or corporation to occupy the same unless and until the said house or buildings shall have been supplied or equipped with a sanitary closet or privy of such construction as will comply with the requirements hereinafter set forth.

#### **SEC. 21-16. DEFINITION.**

That for the purposes of this ordinance "a sanitary closet or privy" shall be deemed to be either:

- a) A properly installed flush toilet connected to an approved public or private sewer.

- b) A properly installed pit privy or concrete or double wood slab construction.
- c) A properly installed flush toilet connected to a properly installed septic tank of adequate capacity with adequate subsurface drainage system for the disposal of effluent.

The terms “properly constructed and approved” as used in this ordinance shall be construed to mean “in accordance with the specifications of the State Department of Health providing arrangements for the disposal of wastes or excrements.

**SEC. 21-17. PERMIT.**

It shall be unlawful for anyone to install a septic tank in Pittsylvania County without first obtaining permit from the County Health Officer, or his representative. No such permit shall be issued unless an inexpensive, detailed sketch, in duplicate, on a 5 by 4 inch card, showing the exact location of such tank and its relation issued relation to wells and lot boundaries and existing or projecting the Health Officer or buildings, is submitted to and approved by Officer, or his authorized representative. The Health Officer of his representative shall decide the capacity of septic tank and number of feet of sub-soil to be used. The minimum capacities shall be as follows:

<u>Table No. 1</u>	<u>Gallons Capacity</u>
<u>Number of persons</u>	
1-5 Inclusive	450
5-9 Inclusive	720
10-14 Inclusive	1000
15-20 Inclusive	1480

The amount of subsurface drainage to be used shall be determined by the Health Officer or his representative at the time the permit is granted. In no case shall a fewer number of feet of drainage tile be used than that specified by the Health Officer or his representative. The kind and amount of absorption material shall conform with the regulations of the Health Department and in each instance shall be determined by the Health Officer or his representative.

**SEC. 21-18. HEALTH DEPARTMENT.**

Septic tanks shall be installed under the supervision of the Health Department. They shall be inspected by a representative, of Heath Department, and approved before they are permitted to be the covered.

**SEC. 21-19. VIOLATION.**

It shall be unlawful for any person, firm or corporation to neglect, fail or refuse to comply with the provisions of this ordinance.

**SEC. 21-20. FINE.**

Any person, firm or corporation who violates any of the provisions or the regulations, issued under it by the County Health Department shall be fined the sum of not exceeding twenty-five (\$25.00) dollars and each week of failure or refusal to comply with the provisions shall be deemed a separate offense and he shall be fined an additional sum of five dollars (\$5.00) for each week of failure or refusal to comply with the provisions of this ordinance, or the regulations issued under it by the County Health Department. **(B.S.M. 8-3-36)**

**SEC. 21-21. SMITH MOUNTAIN AND LEESVILLE DAM RESERIOIRS SEPTIC TANK ORDINANCE.**

That all septic tank systems be placed at a minimum distance of fifty (50) feet from the high water level of the Smith Mountain and Leesville Dam Reservoirs to the nearest point in the septic tank system. This ordinance to be titled Smith Mountain and Leesville Dam Reservoirs Septic Tank Ordinance. **(B.S.M. 6-3-64)**