



**JACKSON COUNTY UTILITY AUTHORITY  
RULES AND REGULATIONS**

Adopted by JCUA Board of Directors on 02/26/2013 to be effective 03/01/2013 Updated as of 04/10/2017



## TABLE OF CONTENTS

### ARTICLE 1 GENERAL PROVISIONS

1.1	Statement of Purpose.....	1-1
1.2	Authority.....	1-1
1.3	Jurisdiction .....	1-1
1.4	Definitions .....	1-1
1.5	Standard Reference Specifications .....	1-9
1.6	Omission Provision.....	1-9
1.7	Provisions Separable.....	1-9
1.8	Most Restrictive Law or Requirement to Apply.....	1-9
1.9	Amendments.....	1-9

### ARTICLE 2 POLICIES AND PROCEDURES

2.1	Regulations Governing the Use of Public Utility Facilities .....	2-1
2.2	Application/Request for Service .....	2-3
2.3	Sewer Customers to be Water Customers.....	2-3
2.4	Cross Connections Prohibited .....	2-3
2.5	Resale of Water or Sewer Service.....	2-4
2.6	Right of Access.....	2-4
2.7	Customer's Responsibility for Authority Property .....	2-4
2.8	Protection from Damage.....	2-4
2.9	Billing and Payment.....	2-4
2.10	Discontinuance of Service by the Authority.....	2-4
2.11	Interruption of Service .....	2-5
2.12	Retail Water Meter Test.....	2-5
2.13	Water for Special Uses.....	2-5
2.14	Service Extension Policy .....	2-5
2.15	Relocation of Water Meter or Sewer Services .....	2-5
2.16	Regulated Discharges.....	2-6
2.17	Pretreatment Requirements.....	2-8
2.18	Violations and Notification.....	2-9
2.19	General Powers of the Authority .....	2-9
2.20	Notice of Violation.....	2-9
2.21	Consent Orders .....	2-10
2.22	Hearing on Violations .....	2-10
2.23	Compliance Orders .....	2-10
2.24	Emergency Suspensions .....	2-10
2.25	Compliance Violation Fees .....	2-11
2.26	Other Remedies .....	2-12
2.27	Hearings and Appeals .....	2-12
2.28	Recording and Reporting on Public Meetings.....	2-12
2.29	Public Comment at Public Meetings .....	2-13



**ARTICLE 3 FACILITIES FOR CERTIFICATED WATER DISTRIBUTION AND WASTEWATER COLLECTION SYSTEMS AND MUNICIPALITIES**

3.1 Purpose .....3-1  
3.2 Memorandum of Understanding.....3-1  
3.3 Metered Services .....3-1  
3.4 Planning Requirements.....3-1

**ARTICLE 4 FACILITIES FOR RESIDENTIAL SERVICE**

4.1 General .....4-1  
4.2 Potable Water Service.....4-1  
4.3 Sanitary Sewer Service .....4-2

**ARTICLE 5 FACILITIES FOR COMMERCIAL AND INDUSTRIAL SERVICE**

5.1 General .....5-1  
5.2 Potable Water Service .....5-1  
5.3 Sanitary Sewer Service .....5-2

**ARTICLE 6 DEVELOPMENT UTILITY PLAN REVIEW POLICY**

6.1 Purpose .....6-1  
6.2 Development Approval Process.....6-1  
6.3 Provisions for Waiver for Proposed Developments .....6-7  
6.4 Dedication of improvements .....6-8  
6.5 Easements and Rights-of-Way .....6-8

**ARTICLE 7 WATER SUPPLY AND WASTEWATER TREATMENT SYSTEMS**

7.1 Purpose.....7-1  
7.2 Wastewater Treatment Systems .....7-1  
7.3 Water Supply Systems.....7-2

**ARTICLE 8 WASTE HAULER PROGRAM .....8.1**

**APPENDICES**

Appendix A: JCUA Fee and Rate Schedule .....A-1  
Appendix B: Standard Forms and Information  
Application for Sewer and Water Certification .....B-1  
Information Regarding Proposed Development .....B-2  
    Water and Sewer Service Application.....B-3  
    Pressure Sewer Service Easement .....B-4  
    Standard Utility Covenant for Development.....B-5  
Appendix C: JCUA Standard Specifications and Detail Drawings .....C-1



## ARTICLE 1 GENERAL PROVISIONS

- 1.1 Statement of Purpose:** The purpose and intent of these Rules and Regulations is to promote the health, safety, environment and general welfare of the people of Jackson County, Mississippi; to assist in bringing about the coordination and efficiency of governmental actions and protection of environment and aesthetics of the County; to insure the proper designs, construction and implementation of quality, efficient, sound, facilities which will provide long term benefits by establishing specific regulations for procedure, minimum standards and requirements to be followed in the development or redevelopment of water and sanitary sewer utilities. By requiring all improvements be dedicated to the Jackson County Utility Authority, it ensures these facilities will be properly maintained in good working condition.
- 1.2 Authority:** The Jackson County Utility Authority (“JCUA”) operates and enforces these Rules and Regulations under the authority granted by the "Mississippi Gulf Coast Region Utility Act," Senate Bill 2943, General Legislation, 2006 Regular Session, now codified as Mississippi Code §49-17-70 1 et seq.
- 1.3 Jurisdiction:** From and after the date of adoption, these Rules and Regulations shall govern any and all water and sanitary sewer utilities located within the jurisdictional limits of Jackson County, Mississippi. Cooperation in the enforcement of Rules and Regulations is requested from other appropriate governmental agencies in order to provide for the sound, orderly development of Jackson County.

The Chancery Clerk of Jackson County, Mississippi shall not receive, file or record a plat of a development within the jurisdictional authority of the Rules and Regulations without prior approval of the Jackson County Utility Authority, as provided by the "Mississippi Gulf Coast Region Utility Act," Mississippi Code §49-17-701 et seq.

- 1.4 Definitions:** For the purpose of these Rules and Regulations, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words in the singular number include the plural and words in the plural number include the singular, the word "person" includes a firm or corporation, as well as an individual, and the word "lot" includes the words "plot" and "parcel" except where the natural construction of the writing indicates otherwise. The word "shall" is always mandatory and not permissive; the word "may" is permissive.
1. "Apartment House" shall mean any single detached dwelling unit designed for and occupied by three or more families living independently of each other as separate housekeeping units, including apartment houses, apartment hotels, flats, and townhouses or condominiums, but not including auto or trailer courts or camps, hotels, motels, or resort type hotels.
  2. "Authority" shall mean the Jackson County Utility Authority, also referred to as JCUA.
  3. "Authority Engineer" shall mean the Engineer designated by the Jackson County Utility Authority to be their representative.

4. "BOD5" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of the sample under standard laboratory procedure in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per liter.
5. "Building Code" shall mean the current Building Code, International Code Council, as adopted by the Jackson County Board of Supervisors or other code as adopted by municipality or other agency having jurisdiction.
6. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes, excluding rain or storm water discharges, inside the walls of the building and conveys it to the building sanitary sewer, beginning five (5) feet outside the face of the building wall.
7. "Building Permit" shall mean a permit which a person shall obtain from the Jackson County Planning Department or the building department of any municipality within Jackson County, Mississippi granting permission to said person to construct or build any structure.
8. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
9. "Centralized Wastewater System" shall mean a system of pipes or other collection devices designed to transport wastewater from residential or commercial premises to a central treatment or disposal facility.
10. "Centralized Water System" shall mean a system of pipes or other distribution devices designed to distribute potable water from a treatment facility to residential or commercial premises.
11. "Combined Sewer" shall mean a sewer receiving both surface runoff and sanitary sewage. Combined sewers shall not be allowed in the Authority's jurisdiction.
12. "County" shall mean Jackson County, Mississippi.
13. "Cluster Development" shall mean a development design technique that concentrates buildings in specific areas on the property to allow the remaining property to be used for recreation, common open space, and preservation of environmentally sensitive features.
14. "Conforming Use" shall mean any lawful use of a building or lot which complies with the provisions of these Rules and Regulations.
15. "Customer" shall mean a person, company, or corporation who requests potable water service or wastewater service.



16. "Decentralized Wastewater System" shall mean a wastewater system that is used to collect, treat and dispose of relatively small volumes of wastewater near the point of generation, generally from dwellings and businesses that are not connected to a centralized wastewater system.
17. "Decentralized Water System" shall mean a water system that is used to treat and distribute relatively small volumes of water near the point of production, generally to dwellings and businesses that are not connected to a centralized water system.
18. "Density" shall mean the number of people or structures per acre or other unit of land area.
19. "Developer" shall mean any person, company, or corporation engaging in developing or improving a lot or group of lots or placing structures thereon for use or occupancy.
20. "Development" shall mean any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or a drilling operation that requires the installation of a water supply or wastewater system. Such changes may be made for residential, commercial, or industrial construction.
21. "Dwelling" shall mean any building, or portion thereof, which is designed or used as living quarters for one or more families to be occupied for 30 days or longer.
22. "Dwelling, Attached" shall mean a one-family dwelling attached to two or more one-family dwellings by common vertical walls.
23. "Dwelling, Detached" shall mean a one-family dwelling which is not attached to any other dwelling by any means.
24. "Dwelling, Modular Home" shall mean a factory-built single family structure that is manufactured under the authority of 42 U.S.C., Sec. 5401, the National Federal Manufactured Home Construction and Safety Standards Act, is transportable in two or more sections, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent non-removable hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent potable water and wastewater system, and which does not have non-removal wheels or hitch-axles, permanently attached to its body or frame.
25. "Dwelling, Manufactured (Mobile) Home" shall mean a structure, transportable in one or more sections, which is at least 8 feet in width and 32 feet in length, which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities and was manufactured after June 14, 1976 under the authority of 42 U.S.C., Sec. 5401, the National Federal Manufactured Home Construction and Safety Standards Act that would otherwise be classified as a manufactured home under this ordinance except for the fact that it remains attached to wheels and/or hitch• axles.

26. "Dwelling, Multi-Family" shall mean a dwelling designed for occupancy for three or more families living independently of each other.
27. "Dwelling, Two-Family" shall mean a dwelling designed to be occupied by two families living independently of each other.
28. "Dwelling Unit" shall mean a room or group of rooms occupied or intended to be occupied as separate living quarters.
29. "Easement" shall mean a grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.
30. "Electrical Code" shall mean the current Electric Code, National Electric Code, as adopted by the Jackson County Board of Supervisors or other code as adopted by municipality or other agency having jurisdiction.
31. "Engineer" shall mean a professional engineer registered with the State of Mississippi.
32. "Excavate" shall mean to dig out, scoop out, hollow out, or otherwise make a hole or cavity by removing soil, sand, gravel, or other material from any property so as to change the grade of such property.
33. "Family" shall mean one or more persons who are related by blood, adoption or marriage, living together and occupying a single housekeeping unit with single culinary facilities, or a group of not more than four (4) persons living together by joint agreement and occupying a single housekeeping unit with single culinary facilities on a nonprofit, cost-sharing basis. Any household employees residing on the premises shall not be considered as a separate family for purposes of these Rules and Regulations.
34. "Fill" shall mean the placing, storing or dumping of any materials such as earth, clay, sand, concrete, rubble or non-decomposable waste of any kind upon the surface of the ground which results in increasing the natural surface elevation.
35. "Fire Code" shall mean the current Standard Fire Prevention Code, Southern Building Code Congress International, as adopted by the local judicial authority or other code as adopted by municipality or other agency having jurisdiction.
36. "Fire Flow" shall mean water demands required to provide fire protection.
37. "Floor Area" shall mean the square footage of all floor space within the outside line of walls and including the total of all space on all floors of a building used for dwelling purposes.
38. "Garage, Public" shall mean any building, other than a private garage, available to the public where vehicles are parked or stored for remuneration, hire, or sale.

39. "Hotel" or "Motel" shall mean a building containing sleeping rooms intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged, with or without meals, for compensation
40. "Individual On-Site Treatment" shall mean a Wastewater treatment system designed to serve an individual lot or property by treating the wastewater produced by the inhabitants on that same property.
41. "Industrial User" shall mean:
- A. Any nongovernmental, nonresidential user of a publicly owned treatment works that discharges more than the equivalent of 25,000 gallons per day of sanitary wastes as identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:
    - Division A. Agriculture, Forestry, and Fishing
    - Division B. Mining
    - Division D. Manufacturing
    - Division E. Transportation, Communications, Electric, Gas, and Sanitary Services
    - Division I. Services
  - B. All commercial users of an individual system constructed with federal grant assistance.
42. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage as defined under "Industrial User" in 40 CFR 35.905.
43. "Infiltration/Inflow (III)" shall mean the total quantity of any water from both infiltration and inflow without distinguishing the source of the water. Infiltration shall mean the water entering a sanitary sewer system and service connections from the ground, through such means as, but not limited to, broken or cracked pipes, defective pipe joints, improper connections, and manhole walls, etc. Inflow shall mean the water discharged into a sanitary sewer system including service lines, from such sources as, but not limited to: roof leaders, cellars, yard and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, cross connections from storm sewers, surface run-off, etc.
44. "Level of the 100-Year Flood" shall mean the highest level of flooding that has a one (1.0) percent chance of occurring each year, as defined by the latest FEMA data available.
45. "Medical and Dental Facilities:"
- A. "Dental Office or Doctors Office" shall mean a facility for the examination and treatment of patients.

- B. "Convalescent, Rest, or Nursing Home" shall mean a health facility where persons are housed and furnished with medical and/or nursing care.
  - C. "Clinic, Medical" shall mean a building or portion of a building containing the offices and associated facilities of one or more practitioners providing medical, dental, psychiatric, osteopathic, chiropractic, physical therapy or similar services for outpatients only, with or without shared or common spaces and equipment.
  - D. "Hospital" shall mean an institution where sick or injured persons are given medical care and in the course of same may be housed overnight, fed and provided nursing and related services.
  - E. "Public Health Center" shall mean a facility primarily utilized by a health unit for the provisions of public health services.
46. "NH3-N" denotes ammonia as nitrogen.
47. "New Construction" shall mean the first placement of permanent construction on a property, such as the pouring of slabs or footings, or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof or its pilings or foundation, or the affixing of any prefabricated structure or mobile home to its permanent location. Permanent construction does not include land preparation, land clearing, grading, filling, excavation for basements, footings, piers or foundations, erection of temporary forms, installation of sewer, gas and water pipes, or electric or other service lines from the street, or existence on the property of accessory buildings such as garages or sheds, not occupied as dwelling units or not a part of the main structure.
48. "Nonconforming Use" shall mean a structure and/or parcel of land lawfully occupied by a use that does not conform to the regulations of the Authority in which it is situated at the time of the passage of these Rules and Regulations.
49. "Open Space" shall mean an area of land upon which no structures shall be erected.
50. "Open Space, Common" shall mean a parcel or parcels of land not occupied by dwellings or other buildings, driveways, or parking areas, which is available to, accessible to, and maintained in a suitable state for the shared use and enjoyment by the owners and/or occupants of individual dwelling units within a particular development.
51. "Open Storage" shall mean a depository or place for storing goods related to the establishment on the same premises and not located within a building.
52. "Owner" shall mean any person, company, organization, or entity having a legal or equitable interest in a particular property.

53. "pH" shall mean the negative logarithm of the concentration of hydrogen ions in moles per liter of solution.
54. "Plat" shall mean a map, plan or layout showing subdivision information.
55. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.
56. "Public Use" shall mean a use owned and/or operated by a government agency (Authority, County, State, Federal) for the benefit and well-being of the general public.
57. "Public Utility" or "Private Utility" shall mean any person, firm, corporation, municipal reviewer or board duly authorized under Stator municipal regulations to furnish such public services as electricity, gas, water, sewer, telephone, television cable, telegraph, transportation or other public services to its subscribers or customers. Where used, "Public Utility" shall also be considered to apply to Private Utilities.
58. "Residential Structure" shall mean a building or portion thereof designed or used exclusively for residential occupancy but not including hotels, motels, and motor lodges.
59. "Restaurant" shall mean a business establishment whose primary service is the providing of food for patrons for consumption on the premises or for take-out. Examples of restaurants include but are not limited to the following: cafes, cafeterias, delicatessen, fast food drive-ins, fast food with counter service, and drive through.
60. "Retail Service Provider" shall mean a Public or Private Utility who provides potable water service and/or sanitary sewer service to customers.
61. "Sanitary Sewer" shall mean any sewer that carries sewage.
62. "Sewage" shall mean domestic or industrial waste water, in which storm water is not intentionally admitted.
63. "Sewer" shall mean any pipe or conduit for transporting wastewater.
64. "Schools" shall mean a public or private institution at which persons are instructed in the specifics of learning including kindergarten, elementary grades 1-6, junior high grades 7-9, and secondary senior high grades 10-12, but does not include business schools, colleges, or universities. Included in this definition is any facility operating as kindergarten, nursery school, Head Start, or like facility in conjunction with an elementary and/or secondary school system, whether it be public, private, or parochial, whose primary purpose is a structured school readiness program.

65. "Semi-Public Use" shall mean a use owned, operated and/or maintained by a private, eleemosynary institute or other group generally for the benefit of a selected public group and the community (i.e., religious group).
66. "Septic Tank System" shall mean an individual on-site wastewater disposal system that utilizes a septic tank to provide primary treatment of a waste stream.
67. "Slug" shall mean any discharge of water, sewage, or industrial waste that in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24 hour concentration of flows during normal operation.
68. "Subdivider" shall mean any person, firm, partnership, corporation or other entity acting as a unit, and subdividing or proposing to subdivide land as herein defined.
69. "Subdivision" shall mean the division of a lot, tract, or parcel of land into two (2) or more lots, plats, parcels, or other divisions of land for the purpose, whether immediate or future, of sale or building development by means of an appropriately recorded legal document. Adjoining parcels or properties may be considered by the Authority as part of the development.
70. "Surveyor, Registered Land" shall mean a registered land surveyor licensed in the State of Mississippi.
71. "Suspended Solids" (SS) shall mean particles of solid pollutants that either float on top or are in suspension of water in wastewater.
72. "Total Kjeldahl Nitrogen" (TKN) is the combination of organically bound nitrogen and ammonia in wastewater.
73. "Utility" shall mean a potable water or wastewater system.
74. "Utility Plan" shall mean detailed drawings or plan showing all proposed potable water and wastewater improvements.
75. "Variance" shall mean a modification of the literal provisions of these Rules and Regulations which the Jackson County Utility Authority is permitted to grant when strict enforcement of said provisions would cause undue hardship (such hardship cannot be self-created or of an economic nature) owing to circumstances unique to the individual property on which the variance is sought.
76. "Vicinity Map" shall mean a map of the general surrounding area indicating the location of the property being subdivided.
77. "Wastewater" shall mean water that contains sewage and water from Infiltration and Inflow.

78. "Water Supply System" shall mean any system approved by the State Health Department and Certified by the Jackson County Utility Authority which provides a source, means or process of supplying potable water.

**1.5 Standard Reference Specifications:** All standard specifications referenced throughout these Rules and Regulations are to be taken as the latest revision available for applicable National Industry Standards (ASTM, AWWA, ANSI, etc.). "Jackson County Utility Authority Standard Specifications and Detail Drawings" (Standard Specifications) are attached hereto as Appendix "C" and describe the minimum requirements of the Authority for construction activities.

**1.6 Omission Provision:** The omission of any specific use, dimension, word, or phrase from these Rules and Regulations shall not be interpreted as permitting any variation from the general meaning and intent of this Document as commonly inferred or interpreted. Should occasion arise as to such intent or meaning, the interpretation of the Authority shall hold.

**1.7 Provisions Separable:** Should any Section or provision of these Rules and Regulations be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of these Rules and Regulations as a whole, or any part thereof, other than the part so held to be unconstitutional or invalid.

**1.8 Most Restrictive Law or Requirement to Apply:** Whenever the requirements of these Rules and Regulations or of any other lawfully adopted rules, regulations, codes, or ordinances are in conflict with the provisions of these Rules and Regulations, the most restrictive law or requirements shall govern.

**1.9 Amendments:** The regulations, conditions, specifications and procedures set forth in these Rules and Regulations may from time to time require amendment. The Jackson County Utility Authority (JCUA) may amend the provisions of the Rules and Regulations.

*[Page Left Intentionally Blank]*



## ARTICLE 2 POLICIES AND PROCEDURES

**2.1 Regulations Governing the Use of Public Utility Facilities:** The Authority shall approve all design specifications, standards, and drawings including any and all revisions for the installation or modification of any water system that will be connected to or draw supply from the Authority's water supply and distribution system. The Authority shall also approve all design specifications, standards, and drawings including any revisions for the installation or modification of any sanitary sewer or wastewater treatment facilities that connect directly to or have a significant effect on the quality or quantity of wastewater entering the Authority's wastewater system.

1. No Agency or Person shall be allowed to connect to the Authority's systems without written approval from the Authority.
2. No Agency or Person shall uncover, make any connections with or openings into, use, alter, or disturb any Authority system, component, or property without first obtaining permission from the Authority in writing.
3. No Agency or Person shall allow the discharge of sewage or polluted waters within the jurisdiction of the Authority except where suitable treatment has been provided in accordance with these Rules and Regulations and other State and Federal requirements.
4. No Agency or Person shall allow or permit the discharge of wastewater that contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the biosolids of any municipal systems, or to injure or to interfere with any sewage treatment process, or that constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the environment or waters receiving and discharging from the treatment works.
5. No Agency or Person shall construct or allowed to be constructed combined sewers within the Authority's jurisdiction.
6. After a public water system and/or public sanitary sewer system is available to each home where people reside and at each establishment, building or property used for human occupancy, employment, recreation, or other purpose situated within the Authority's jurisdiction, connection to such either and/or both public systems shall be a mandatory requirement.
  - A. All such homes, building, or property used for human occupancy, employment, recreation, or other purposes, where a potable water system or sanitary sewer system is available, shall have a properly constructed service connection to each system installed and administered in accordance with these Rules and Regulations.

- B. The owner of any such property used for human occupancy, business, recreation, or other purposes shall, within one hundred eighty (180) days after receiving written notice of availability of potable water or sanitary sewer service, connect to such systems in accordance with these Rules and Regulations. A water or sewer system will be considered to be available to an owner if the system is within a reasonable distance from the nearest point of the property boundary being considered for service. The determination of a “reasonable distance” is based upon practicality, usefulness of connection, distance, pricing of connection, topography, scope of the related projects, and other relative factors.
- C. All Owners who, at the time of connection to the public water or sanitary sewer system, have in place a private water system or wastewater treatment system shall take such systems off-line and make them physically separate from the premises at the time of connection to the public water or sanitary sewer system. Such owners shall close the private systems in accordance with a closure plan approved by the Mississippi Department of Health or the Department of Environmental Quality at the Owner's expense. Private water systems may be allowed for non-potable uses (i.e., irrigation, livestock uses, etc.) upon written certification to the Authority that these systems are not physically connected in any way to a potable system or the Authority's system.
- D. All Owners shall have the ability to request a waiver from the Authority and install an individual water supply and/or wastewater treatment system(s). If the proposed structure is reasonably accessible in the opinion of the Authority to an existing sanitary sewer and/or potable water system, there will be no waiver for that particular utility. A written request for waiver must be submitted to the Authority including all information required below or as requested by the Authority. Waivers will be considered on a case-by-case basis with no matter for precedent. Individual on-site systems shall be as approved by the Mississippi Department of Health provided the Authority approves the following:
  - a. A plat shall be submitted for each individual lot within the proposed development on a detailed plat. The plat shall at minimum show building locations to include, but not limited to, all proposed structures, driveways, setbacks, wetlands, utilities, and property lines with legal descriptions. Plat shall be at a maximum scale of 1" equals 100' and be submitted on letter or legal size paper.
  - b. The detailed plat showing any proposed water well and individual on-site wastewater disposal system location on the lot and their relationship to each other and the items specified above. The plat shall also show the location of the public utilities in relation to property and structures.
  - c. The owner shall comply with the Mississippi Department of Health's test for each lot for an individual on-site wastewater disposal system and water well suitability. Reports and approval from the MS Dept. of Health must be submitted once completed before final approval is granted.

The Authority reserves the right to consider any unique factor or request that may arise upon application for an individual waiver and at its option may grant conditional or temporary waivers.

- 2.2 Application/Request for Service:** Applications for service shall be made in writing to the Authority at its' business office in accordance with the applicable Articles of these Rules and Regulations during normal business hours. Applications for service shall be submitted together with all fees, deposits, and charges at least thirty (30) working days before the service is desired for a private residence and six (6) months for a business or a development as defined herein. All requests for service shall clearly define the point of delivery of such service as defined in applicable sections of these Rules and Regulations. Request for service other than for a single-family residence shall state the level and quantity of water and sanitary sewer service desired (peak demand and flows, minimum flow, average demand and flow, wastewater constituents and strength, etc.) and any special conditions required such as minimum or maximum pressures or fire flow requirements and other related data.
- 2.3 Sewer Customers to be Water Customers:** Unless otherwise authorized by the Authority's Board of Directors, all sanitary sewer customers shall also be water customers of the Authority.
- 2.4 Cross Connection Requirements:** No owner or user shall make a physical connection between any of the Authority's potable water facilities or systems and any other potentially contaminated water unless an Authority-approved backflow prevention device is installed complying with the site specific application. The owner shall be responsible for all costs associated with installation of the backflow prevention device including, but not limited to, cost of the backflow prevention device, initial cross connection fee paid to the Authority, and annual inspection costs

In situations where an owner is utilizing a private well, cistern, or other private water supply and JCUA water is available, the owner shall be required to enter into an agreement with the Authority acknowledging the Authority's terms of service and shall pay all applicable service fees for the availability of water. Unless an owner meets all requirements, the owner's private well, cistern, or other private water supply shall be physically separate from any plumbing facilities connected to the Authority's potable water supply. Failure to comply shall result in the service connection being suspended until the property owner is in compliance with the regulations. All costs including, but not limited to, water service rates, fines, penalties, and legal action associated with the suspension of service shall be paid by the user.

All provisions from the Mississippi Department of Health Environment Regulations, Division 300 – Public Water Supply, Part 301 – Public Water Systems, MS Primary Drinking Water Regulations, and Latest Revisions are hereby imposed.

Definition: A cross connection is any arrangement of piping where the Authority's potable water line is connected to potentially contaminated water. A cross connection is either a pipe to pipe connection between the Authority's water system and another water source (i.e., private well) or a paper to water connection, where the potable water outlet is submerged in contaminated water creating a condition where backflow has potential to occur.

- 2.5 Resale of Water or Sewer Service:** No owner, user, customer, municipality, utility, or other organization shall directly or indirectly sell, sublet, assign, or otherwise dispose of the Authority's services without the prior written consent of the Authority and except through a separate, dedicated metered service installation provided by the Authority.
- 2.6 Right of Access:** The Authority's employees and representatives shall have the right of access at all reasonable times for the purpose of reading meters, testing, repairing, or removing the Authority's equipment; testing for infiltration and inflow; and other lawful duties of the Authority. The Authority shall have the right, but not the obligation, to inspect any customer's installation before water or sanitary sewer service is introduced or at any later time in regard to extra users, infiltration or inflow into sanitary sewer service lines, cross connections of the Authority's public water supply with a private water supply, or any other condition detrimental to the Authority's facilities, equipment, and systems.
- 2.7 Customer's Responsibility for Authority Property:** All meters, piping, service connections, water and sanitary sewer lines, and other equipment furnished or otherwise owned by the Authority shall be and remain the property of the Authority. Customers shall provide adequate space for and exercise proper care to protect the property of the Authority on the customer's property or premises. In the event of loss of or damage to the Authority's property arising out of negligence of the customer, the customer shall pay the cost for necessary repairs or replacement of said property including the Authority's total cost to return said facilities to pre-damaged conditions, the cost of any lost water, and the cost of any normally unnecessary wastewater collection, transport, or treatment. The Authority shall estimate the loss of water based upon the extent of damage, water pressure, length of time that facilities are estimated to have been leaking, and other related criteria.
- 2.8 Protection from Damage:** No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the Authority's distribution, collection, and treatment systems. Any person violating this provision shall be subject to criminal charges.
- 2.9 Billing and Payment:** Charges and bills for service furnished shall mature on the date of the statement on the bill. Such charges and bills shall be due and payable on the date indicated on the statement. Any such charges and bills not paid on or before ten (10) days from the date indicated on the statement shall be in default.
- 2.10 Discontinuance of Service by the Authority:** Failure, neglect, or refusal to pay any bill on or before ten (10) days from the date indicated on the statement shall subject the customer, consumer, or user of the service to the loss and discontinuance of service and supply. If any such water or sewage service is lost or discontinued because of the nonpayment of any such statement on or before ten (10) days from the date indicated on the statement, the service and supply shall not be resumed until the bill or statement is paid in full, together with a reconnection charge, this amount being determined as the reasonable cost incurred by the Authority in resuming such service.

**2.11 Interruption of Service:** The Authority endeavors to provide uninterrupted service to its customers. However, interruptions are inevitable due to accidents, power failures, equipment failures, and related factors. Whenever practical, notice of an impending shutdown of service will be given to customers, but the Authority reserves the right to interrupt service at any time in the event of emergencies without notice. The Authority shall not be liable for any damages or problems resulting from an interruption of service. In the case of pressure sanitary sewer service system, either effluent pump from interceptor tank or low pressure sewer grinder pump station, it is the responsibility of the landowner to notify the Authority if service is interrupted due to failure in the system located at the property owner's structure. If failure occurs the landowner shall suspend use of the system until it can be repaired by the Authority.

**2.12 Retail Water Meter Test:** The Authority may at its own expense make periodic tests and inspections of its water meters in order to maintain a high standard of accuracy. The Authority will make additional tests or inspections of its meters at the request of a customer. However, if such tests show that the meter is accurate within three (3) percent (high or low), no adjustment will be made in the customer's bill and a test fee in accordance with the Authority's current rate schedule will be added to the customer's bill. In case the test shows the meter to be in excess of three (3) percent high. The customer's metered consumption for a period of three (3) months, next preceding the date of the test or the date the meter was removed for the purpose of test, shall be reduced or increased by the application of the percentage of error related to one hundred (100) per cent accuracy as determined by the test. The rates effective during said period shall be applied to this adjusted consumption and the difference between the amount so obtained and the actual billing shall be refunded or charged to the customer; provided, however, that no refund shall be allowed in any case if the seal on the customer's meter or metering equipment is found to be broken or if there is any other evidence that the meter or metering equipment has been tampered with.

**2.13 Water for Special Uses:** Water for special uses may not be obtained under any circumstances (except fire protection) from the Authority's systems (including fire hydrants, blow-off valves, potable water service connections, etc.) without a certificate from the Authority. All water sold by certificate for special uses shall be metered or otherwise estimated in quantity and paid in accordance with the Authority's current schedule of rates and charges.

**2.14 Service Extension Policy:** Where potable water and sanitary sewer services are available to any dwelling and/or business within the Authority's jurisdiction, it is the Authority's policy that all new customers pay the full cost (both direct and indirect costs) of the required service extension plus a reasonable service charge for maintaining excess capacity in its water and sanitary sewer systems that is available to accommodate new customers. Excess capacity in existing facilities shall be available to new customers on a "first come first served" basis.

**2.15 Relocation of Water Meter or Sewer Services:** Relocation of water meters or sanitary sewer services for the convenience of the customer shall be at the expense of the customer. The charge for the relocation shall be in accordance with the Authority's current schedule of rates and charges.

**2.16 Regulated Discharges:** No Agency or Person shall discharge or cause to be discharged any of the following described substances, materials, waters, or wastes to any transportation or treatment system;

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
2. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment facility.
3. Any waters or wastes having a pH in excess of 9.0 or lower than 5.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater systems.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in the transportation system, or other interference with the proper operation of the wastewater treatment facility such as, but not limited to, ashes, cinders, sand, mul straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
5. Any water or wastes that contain more than ten (10) parts per million by weight of the following gases; hydrogen sulfide, sulfur dioxide, or nitrous oxide.
6. Any waters or wastes containing suspended solids of such character and quantity that unusual provision, attention, or expense is required to treat such waters or wastes.
7. Any noxious or malodorous gas or substance, which either singly or by interaction with other wastes, creates a public nuisance or hazard to life or prevents entry into the transportation system for maintenance and repair.
8. Any water or waste so discharged in its rate of volume or in its concentration of suspended solids or of BOD as to cause sufficiently sudden changes in the wastewater as it arrives at the wastewater treatment facility to materially or unreasonably interfere with its proper operation, to prevent attainment of effluent limitations, or to substantially increase operation and maintenance requirements.
9. Any liquid or vapor having a temperature higher than 120 degrees F or lower than 32 degrees F.
10. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 150 mg/L or containing substances that may solidify or become viscous at temperatures between 32 and 150 degrees F.

11. Any garbage that has not been properly shredded.
12. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
13. Any waters or wastes containing iron, chromium, copper, zinc, and similar, objectionable, or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received into the transportation or treatment system exceeds the limits established by the Authority for such materials.
14. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits that may be established by the Authority as necessary, after treatment of the composite wastewater, to meet the requirements of the State, Federal, or other public agencies jurisdiction for such discharge to the receiving waters.
15. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Authority in compliance with applicable State or Federal regulations
16. Materials that exert or cause:
  - A. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - B. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - C. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment system.
  - D. Unusual volume of flow or concentration of wastes consisting "slugs" as defined herein.
17. Waters or wastes containing substances that are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
18. Any waste prohibited by the Environmental Protection Agency Standards 40 CFR 403.
19. Waters or wastes containing substances of sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater sludge treatment, handling, or disposal processes as regulated by the Environmental Protection Agency Standards 40 CFR 503 and used by the Authority.

**2.17 Pretreatment Requirement:** Users of the Authority's systems shall require that all industrial and commercial process wastewater be pretreated prior to discharge to the Authority's transportation or treatment system, if necessary, in accordance with the provisions of the United States Environmental Protection Agency, the Mississippi Office of Pollution Control, the Public Agency that is a User of the Authority's System, and these Rules and Regulations.

1. Except where waived by written approval of the Authority, the minimum pretreatment requirements as received into the Authority's system are as follows:

Parameter	Maximum Concentration.
	m_g/L
BODs	300.0
Suspended Solids (SS)	300.0
TKN	30.0
NH3-N	30.0
Oil or Grease	150.0
Arsenic	Note "A"
Barium	Note "A"
Boron	Note "A"
Cadmium	Note "A"
Chromium	Note "A"
Copper	Note "A"
Cyanide	Note "A"
Lead	Note "A"
Manganese	Note "A"
Mercury	Note "A"
Nickel	Note "A"
Selenium	Note "A"
Silver	Note "A"
Zinc	Note "A"

Note "A:" The determination of limits for these parameters shall be based in any applicable EPA categorical industrial guidelines, receiving stream water quality standards/criteria, biological process threshold inhibition levels, and sludge quality criteria.

2. As a condition for authorization of industrial or commercial wastes through the Authority's system, the industrial or commercial user shall provide the Authority and respective Public Agency with information describing the wastewater constituents and characteristics, and the type of activity and quantity of production.



**2.18 Violations and Notification:** Any Agency or Person who observes or is aware of a violation or a suspected violation of these Rules and Regulations shall immediately contact the Authority to provide notice of such violation or suspected violation.

Any Agency or Person found to be violating any provision of these Rules and Regulations shall be served by the Authority with written notice stating the nature of the violation and providing a reasonable time for correction thereof. Immediately upon receipt of said notice, the Agency or Person shall provide the following in writing:

1. A description of the cause of the violation.
2. The period or anticipated period of the violation.
3. Methods taken to eliminate, reduce, or prevent the recurrence of the violation.
4. Identify any bodies of water affected.

**2.19 General Powers of the Authority:**

1. The Authority or its duly appointed representative shall have the power to enter at reasonable times upon any private and public property for the purpose of inspecting or investigating conditions relating to the pollution, or possible pollution of the waters of the state, or other matters that may affect the public health. The owner or occupant of the property shall be required to provide reasonable access to any such records as the Authority may require under its regulations.
2. The Authority may require the maintenance of records relating to the operation of any water, wastewater or storm water system, and the Authority may require the production of copies of such documents to be submitted to the Authority upon its request.
3. In the event the Authority determines that an emergency exists, it may issue an emergency order as required by the circumstances. The emergency order shall become effective at the time and date designated therein, and shall remain in force until modified or cancelled by the Authority. If the Authority determines that an emergency situation exists which creates a substantial threat to the public health, it shall provide notice to the local governing authority of the County and/or the municipality, or any state emergency management organization to protect the public interest.

**2.20 Notice of Violation:** In the event the Authority finds that any person has violated or will be violating any of these rules and regulations, or any ordinance, permit or rule of the Authority, it may serve that person via personal service or by mail with notice of the violation. Within the time fixed within the notice explaining the violation, a plan for the correction shall be submitted by that person to the Authority. The submission of a plan or response to the notice does not relieve the person of any liability or requirement for further action. Nothing in this section is to be construed as a limitation on the power of the Authority to take any additional emergency or enforcement action without first issuing a notice of violation.

**2.21 Consent Orders:** The Authority may enter into a consent decree or other assurance of voluntary compliance to establish an agreement with the violating person to cure the noncompliance. Any such order shall contain specific action to be taken to correct the noncompliance within a specific period of time, and such order shall have the same force and effect as if issued pursuant to the rules and regulations and may be judicially enforced.

**2.22 Hearing on Violations:** The Authority may order any person who causes or contributes to a violation of a permit, certificate, rule or regulation, or any order issued by the Authority to appear before the Authority and show cause why a proposed enforcement action should not be taken. The notice of hearing shall be served personally or by registered or certified mail at least ten (10) days prior to the hearing. Such notice may be served upon any authorized representative of the alleged violator. Immediate enforcement action may be taken after the hearing date regardless of whether the person appeared as ordered or not, and a show cause proceeding shall not be a prerequisite for taking further action.

**2.23 Compliance Orders:**

1. Upon a determination that a person has violated or continues to violate a certificate, permit, rule or regulation of the Authority, and if the person does not come into compliance within the period so specified by the Authority, the Authority may order (i) immediate compliance with all requirements; (ii) appropriate remedial or preventive action as may be needed; as may be needed; (iii) discontinue service until such time as a person comes into compliance; or (iv) take any other action authorized by law.
2. Upon the determination that a person has violated a certificate, rule or permit, the Authority may issue a compliance schedule with an effective date containing the terms and conditions under which the person must operate and provide specific dates for achieving compliance.
3. Compliance orders and compliance schedules may contain additional requirements for self-monitoring, monitoring by the Authority or their designee, the submission of plans and drawings for compliance; however, the submission of a compliance order shall not relieve the violating person of any other requirement imposed by state or federal law.

**2.24 Emergency Suspensions:**

1. If the Authority determines that an emergency situation exists, it may immediately suspend a person's certificate to operate a system when the Authority determines that such suspension is necessary to stop an actual or threatened imminent or substantial endangerment to the environment or the general health and welfare of the community.
2. Any such person notified of the suspension shall immediately stop and eliminate such actions as specified in the suspension order and the failure to immediately comply authorizes the Authority to take immediate steps as it deems necessary, including, but not limited to the immediate severance of water or sewage service.

3. Any person who violates the Authority's certificate, rules or regulations, permits or ordinances is subject to the termination of services and such person so notified of a proposed determination shall be notified of a right to a hearing pursuant to the regulations.
4. Any such person violating a certificate, rule or regulation, or any other lawful directive of the Authority shall be responsible for the expense, loss, damage and other liability of the Authority as a result of any violation or discharge, and shall pay the Authority within thirty (30) days of the billing of the charges.

**2.25 Compliance Violation Fees:** When violations are found at any food establishment, the Authority will take enforcement action to correct the issue(s). Violations may be identified as a result of onsite inspections by Wastewater Collection Operator or Compliance Department, general complaints, consumer tips, or notice of collection system issues.

Establishment found to be violating any section will be generally sent a Notice of Violation that will outline corrective measures that need to be taken along with a timeframe in which they are to act. Failure to respond or failure to meet the stipulated timeframe(s) will be recourse for further enforcement.

The recommended fine structure for food establishments, excluding entitles, are as follows:

1. The first notice of violation subjects the violator to a civil penalty of **\$250.00** if the agency fails to act upon a corrective action within 15 business days. The 15 business days referenced here may be reduced when significant water quality degradation has occurred, or there is high potential for such degradation to occur if left uncorrected.
2. The second notice of violation means there determination that after the expiration of the first time period of correction. The violator shall be subject to civil penalty of **\$500.00** if the agency fails to act upon a corrective remediation within 15 business days. The 15 business days referenced here may be reduced when significant water quality degradation has occurred or there is high potential for such degradation to occur if left uncorrected.
3. The third notice means the determination that any time after the 15 business day period for the corrective account of a second notice of violation remains uncorrected or otherwise non-compliant with the requirements, provisions, or regulations of the Rules and Regulations. Upon asserting and documenting the occurrence violation after the third notice of violation at an agency, the violator will be subject to a civil penalty of **\$2500.00**.
4. Any further noncompliance will result in a daily fine of **\$250.00** per day to the appropriate individual or individuals responsible for correcting the violation.

With the approval of the Executive Director, the Compliance Department will issue the original Notice of Violation and issue notification of any subsequent fines that are assessed. They will also alert the Board of Directors to any fines that have been levied or any further civil action that may be needed for failure of the establishment to comply or submit payment. Payments will be collected by the Authority's Accounting Department.

**2.26 Other Remedies:** The provisions of this section are not exclusive remedies and the Authority reserves its right to take any and all additional actions that it is empowered to take for the enforcement of its certificate or rules and regulations against any violating person.

**2.27 Hearings and Appeals:**

1. Any person with standing may appeal a decision of the Executive Director and/or its designee, to the Board of Directors of the Jackson County Utility Authority. A written notice of appeal may be initiated and delivered to the Authority within thirty (30) days of any action or decisions regarding these regulations and shall describe the action, decision or interpretation for which the appeal is being taken, including the times, dates and persons involved, and the contentions of the person filing the appeal. Appeals shall be delivered to 1225 Jackson Ave., Pascagoula, MS 39567.
2. Upon such request for a hearing, the Board shall set a hearing at either its regular meeting or a special meeting of the Board, and conduct a hearing where the Appellant shall have the right to call witnesses and present evidence either through himself or through counsel. The Board shall render a decision in writing at its next regular meeting following the hearing which shall contain findings of fact and determination of the issues and shall provide notice of the Appellant should he be aggrieved that he may take judicial review of the decision of the Authority.

**2.28 Recording and Reporting on Public Meetings**

This policy applies to all public meetings of the Jackson County Utility Authority. The Jackson County Utility Authority abides by the Mississippi Open Meetings Act (the "Act"), Miss. Code Ann. § 25-41-1 et seq. The Act allows any public body to make and enforce reasonable rules for the conduct of persons attending its meetings. *See*, Miss. Code Ann. § 24-41-9.

1. The JCUA Board of Directors supports the principles of openness and transparency and encourages public interest and engagement in its business.
2. In accordance with the Open Meetings Act, persons and press attending any meeting of the JCUA Board of Directors are allowed to record and/or report all or part of that meeting. This includes filming, audio-recording, photographing, or any other means for enabling people not present to see or hear proceedings at a meeting at the same time as it takes place or later. The Board of Directors will provide a reasonable facility to enable them to do so, as far as is practical.
3. Individuals or organizations intending to record and/or report on a public meeting are asked to notify the Board of Directors in advance of the meeting.

4. If notification of an intention to record/report all or part of a meeting has been received, the President (or presiding member) of the Board of Directors will make an announcement accordingly at the start of the meeting. If a member of the public present indicates that he or she does not wish to be recorded, then the President (or presiding member) of the Board of Directors will ask the individual/organization to refrain from filming/audio- recording/photographing him or her. Any objections received to being recorded should be made known to the Board of Directors and the person(s) recording.
5. Those recording and/or reporting on public meetings should be aware of and abide by the following points:
  - Unless agreed otherwise in advance of the meeting, recording and reporting must take place from the public seating area and should be overt and focused on the speaking at the meeting, not other members of the public.
  - The use of flash photography and or additional lighting is not allowed unless it has been discussed in advance and an agreement reached on how it can be done without disruption to the meeting.
  - Individuals and organizations recording a meeting are asked to respect any requests from external contributors/members of the public to the meeting to suspend recording while they are speaking/to not record them.
  - Recording is not allowed when (1) the meeting has been suspended; or (2) the meeting has agreed to formally exclude the press and public due to the nature of business discussed, i.e. during closed or executive sessions. Filming/recording equipment should not be left in the meeting room during closed or executive sessions.
  - Oral reporting or oral commentary on a meeting as it takes place is not allowed if the person doing the reporting or providing the commentary is present at the meeting. Oral commentary should take place outside or after the meeting.
  - Recording or reporting should not be disruptive to the meeting, including preventing others viewing and listening to the meeting. Acting in a disruptive manner could result in expulsion from the meeting.
  - The Board of Directors expects that recordings will not be edited in a way that could lead to misinterpretation of the proceedings.
  - Individuals and organizations recording/reporting on a meeting must respect the law and will be responsible for any allegations of breaches of law which may result from their actions.
6. The Board of Directors allows such reporting/recording to take place only in accordance with its legal obligations and takes no responsibility for, nor will accept any liabilities for, any filmed/recorded/photographed material made by any persons or its subsequent use for publication.

## **2.29 Public Comment at Public Meetings**

The Jackson County Utility Authority welcomes Jackson County citizens to board meetings and is willing to hear any Jackson County citizen or group desiring to appear and comment before the Board of Directors. However, the Board of Directors will not participate in a public

debate regarding any item of public comment. The President (or presiding member) is charged with enforcing this Policy. All comments must be directed to the President (or presiding member).

To establish a fair and orderly procedure for public comment, this policy will provide an opportunity for Jackson County residents, business interests, taxpayers, any representative of a firm eligible to bid on material or services solicited by the Board, any state agency, or any municipal representative to comment on all matters relative to JCUA official action or deliberation prior to final action by the Board of Directors at the Regular/Business Meetings.

It is at these formal, recorded meetings that the business of the JCUA is transacted with official action by the Board of Directors. These meetings are held on the second and fourth Monday of each month at 4:00 p.m. in the board room located at the JCUA office, 1225 Jackson Avenue, Pascagoula, MS 39567.

A public comment period shall be included as an item of business on the agenda at each of the regular bi-monthly meetings of the JCUA Board of Directors. There will be no public comment periods held during agenda meetings, special meetings, or workshops, unless otherwise specified by the Board of Directors. All comments and suggestions to the Board of Directors during the public comment period shall be subject to the following guidelines:

1. Each person desiring to speak during the public comment period shall sign up to speak prior to the start of the meeting on the form provided by listing the speaker's name, address, and the topic on which he or she will speak. Any related documents, printed comments, or materials the speaker wishes distributed to the Board shall be delivered to the Executive Director (or his Administrative Assistant) in sufficient amounts (7 copies) at least fifteen (15) minutes prior to the start of the meeting. Persons wishing to simply to speak may sign up at any point before the meeting begins.
2. A total of thirty (30) minutes shall be set aside for public comment. At the end of this time, those who signed up to speak but have not yet been recognized may be requested to hold their comments until the next meeting's public comment period, at which time they will be given priority for expression. Alternatively, the Board in its discretion may extend the time allotted for public comment.
3. Each speaker will have a maximum of three (3) minutes to speak. A speaker may not sign up to speak more than once during the same public comment period. No time may be yielded to a speaker by another speaker. To avoid repetitiveness, groups are encouraged to select a spokesperson to speak on their behalf. Additional time may be allowed at the discretion of the Board.
4. Speakers will be acknowledged to speak in the order in which their names appear on the sign-up sheet. Speakers will address the Board from their seat and begin their remarks by stating their name and address.
5. Public comment is not intended to require the Board of Directors to answer impromptu questions. Speakers should not expect the Board to engage in dialogue, except to the extent necessary to clarify the speaker's position. The Board will not entertain questions or comments called out from the audience. The Board will not take action on an item

presented during public comment. When appropriate, the Board may refer inquiries and items brought up during public comment to the Executive Director and/or staff for follow up.

6. Speakers should at all times maintain proper decorum and shall make their comments in a civil manner. Personal attacks will not be tolerated. No person will be allowed to make obscene, derogatory, or slanderous remarks.

*[Page Left Intentionally Blank]*



## **ARTICLE 3 FACILITIES FOR CERTIFICATED WATER DISTRIBUTION AND WASTEWATER COLLECTION SYSTEMS AND MUNICIPALITIES**

- 3.1 Purpose:** The Authority has the legislative mission to consolidate water and wastewater services throughout Jackson County in order to reduce costs, promote resilience in the event of a disaster, improve the quality of the natural environment in Jackson County, and improve the planning and delivery of water and wastewater services within the County. To fulfill this mission, the Authority will work closely with providers of these services and the municipalities of Jackson County to serve as a wholesale provider of services and work in partnership for the betterment of Jackson County.
- 3.2 Memorandum of Understanding:** The Authority shall execute a Memorandum of Understanding with each and every provider of water and wastewater services that seeks a wholesale supply of potable water and/or treatment of collected wastewater. The Memorandum of Understanding shall outline all terms of service and administrative matters to document the roles and responsibilities of each entity and/or reference the existing service contract, if any.
- 3.3 Metered Services:** Water and wastewater service shall be provided to retail providers of water and wastewater services only through metered connections unless the Authority makes a specific exception to metered service. Such meters shall be designed and constructed by the Authority at locations agreed to by both parties. Meters shall be sized and designed by the Authority's engineer based upon information provided by the retail service provider to meet existing and projected needs. Projected needs shall be determined in accordance with the Planning Requirements described herein. The Authority's engineer shall prepare an engineer's opinion of probable cost upon the completion of the meter design to include all estimated costs for construction, engineering, land acquisition, administration, etc. The engineer's opinions of probable cost shall be based upon best judgment regarding the improvements that will be required and the best information available regarding current construction costs. However neither the engineer nor the Authority guarantee or warrant that the proposed improvements can be built for the amounts of the engineer's estimates of probable cost. The retail provider shall submit a written Application for Wholesale Service along with a cash deposit in the amount of the engineer's estimate of probable cost to the Authority who will, upon receipt, initiate the construction of the meter installation. In the event the construction costs exceed the amount deposited by the Applicant, additional funds will be required from the applicant to equal the total construction cost of the meter installation including all documented direct and indirect costs. The meter installation will not be placed into service until the Applicant provides such required additional funds. Upon completion, the Authority will own and operate the meter.
- 3.4 Planning Requirements:** The Authority will periodically review both the current and projected future needs for water and wastewater services within its jurisdiction. As a part of this planning process, each and every retail service provider will, as a term of the Application for Wholesale Service, be required to

submit an annual planning review update. Such update shall provide written documentation of the retail service provider's estimated needs each year for the following five (5) years as short term projections.

Additionally, the annual planning review update shall indicate projections for needs ten (10) years and twenty (20) years into the future as long term projections. The annual planning review update is essential to ensure the continuity of quality service by the Authority and assist the Authority with capacity planning and future facilities planning. Failure to submit the annual planning review in a timely manner may reduce the capacity for service the Authority can provide to the retail provider who may also incur additional financial charges for flows in excess of those agreed to between both parties.

## ARTICLE 4 FACILITIES FOR RESIDENTIAL SERVICE

- 4.1 General:** Before a single family residence is constructed an application for certification of water and wastewater service must be submitted for approval by the Authority. The Authority may delegate this review and certification to a Public or Private Utility within whose service boundary the residence is to be constructed with which a current Memorandum of Understanding is in place with the Authority.

The certification process is further described in Appendix "B" along with the required forms for application and instructions for application. During this certification the Authority will notify the landowner of availability of water and/or wastewater services for the parcel.

Parcels determined to be located within the service area of the Authority's water and sanitary sewer infrastructure during the certification process shall connect to the Authority's systems when they become available. If utilities are available to the parcel during the certification process then the landowner shall apply for service in writing using the Authority's "Water and Sewer Service Application and Agreement," attached in Appendix "B." All required fees and charges must be submitted at the time of application for service to make connection to the Authority's water and sewer systems. If the parcel is located within the service area of the Authority's water and sewer infrastructure but the utilities are not available during the certification process it is recommended that the landowner request a recommended system from the Authority.

### 4.2 Potable Water Service

1. Point of Delivery - Potable Water Service: The point of delivery of the Authority's services shall be the Authority's water meter for potable water service. Points of delivery shall be on or adjacent to public roads, public rights-of-way, or private roads or easements as approved by the Authority. The property owner shall own and maintain all facilities downstream of this point for potable water service.
2. Water Meter: Each single family building or structure (including a mobile home) on an owner's property that houses a separate family unit, shall be metered separately. In no case shall the owner connect an extra user to his metered service. Multi-family structures, i.e., apartment buildings, may have a central meter or individual meters for each unit. If a central meter is selected by the owner of the structure, it shall be the responsibility of the structure owner to pay the entire water bill.
3. Connection of New Potable Water Service: Once the Authority determines the availability of service and all fees and charges have been collected from the applicant, the Authority will schedule with the applicant the installation of the service connection and water meter and make such installation. The property owner shall construct and bear all costs for connection of the premises to the water meter; such connection must be made by a plumber licensed with the Mississippi State Board of Contractors. Evidence of licensure shall be made available to the Authority.

### 4.3 Sanitary Sewer Service

1. Point of Delivery – Sanitary Sewer Service: The point of delivery shall not extend beyond the right-of-way of a public street or the line of a private easement onto private property unless by Agreement of the property owner. All sewer service lines, grease traps, interceptors, cleanouts, and other facilities upstream from the point of delivery shall be the property of the owner and shall be operated and maintained by the owner. All facilities downstream from the point of delivery shall be the property of the Authority and shall be operated and maintained by the Authority.
  - A. Gravity Sewer System: The point of delivery from the landowner to the Authority's gravity sewer system shall be point that the individual sewer service extends beyond the limits of a public right of way or utility easement dedicated to the Authority for installation of utilities. The extent of the service line upstream of this boundary shall be the property owner's responsibility.
  - B. Pressure Sewer Systems: The point of delivery from the landowner to the Authority shall be the connection point between the owner's individual sewer service line to the Authority's collection system. The Authority's collection system includes the individual low pressure pump station or interceptor tank with effluent pump and discharge pressure piping. The provision, operation, and maintenance of the collection system shall be the responsibility of the Authority. The provision, operation, and maintenance of the sewer service line, grease traps, interceptors, cleanouts, and other facilities upstream from the point of delivery leading from the property owner to the collection system and the electrical service and cost for connection of the electrical service to the system control panel shall be the property owner's responsibility. The Authority will require the landowner to provide an easement, see Appendix "B" for easement, to access all Authority owned equipment on private property. This easement will be filed with the Jackson County Chancery Clerk.

In the event of a dispute regarding the point of delivery of wastewater services, the general rule shall be that facilities installed by the Authority or the facilities dedicated to the Authority by a Developer shall be public facilities maintained by the Authority, and facilities upstream of that point shall be the private facilities constructed, operated, and maintained by the owner.

- 2 Connection of New Sanitary Sewer Service: Once the Authority determines the availability of service and all fees and charges have been collected from the applicant, the Authority will schedule with the applicant the installation of the service connection and make such installation. The owner shall construct and bear all costs for connection of the premises to the Point of Delivery; such connection must be made by a plumber licensed with the Mississippi State Board of Contractors. Evidence of licensure shall be made available to the Authority.

## ARTICLE 5 FACILITIES FOR COMMERCIAL AND INDUSTRIAL SERVICE

**5.1 General:** Before a commercial or industrial structure is constructed an application for certification of water and wastewater service must be submitted for approval by the Authority. The Authority may delegate this review and certification to a Public or Private Utility within whose service boundary the structure is to be constructed with which a current Memorandum of Understanding is in place with the Authority.

The certification process is further described in Appendix "B" along with the required forms for application and instructions for application. During this certification the Authority will notify the landowner of availability of water and/or wastewater services for the parcel.

Parcel determined to be located within the service area of the Authority's water and sanitary sewer infrastructure during the certification process shall connect to the Authority's systems when they become available. If utilities are available to the parcel during the certification process then the landowner shall apply for service in writing using the Authority's "Water and Sewer Service Application and Agreement," attached in Appendix "B." All required fees and charges must be submitted at the time of application for service to make connection to the Authority's water and sewer systems. If the parcel is located within the service area of the Authority's water and sewer infrastructure but the utilities are not available during the certification process it is recommended that the landowner request a recommended system from the Authority.

### 5.2 Potable Water Service

1. Point of Delivery – Potable Water Service: The point of delivery of the Authority's services shall be the Authority's water meter for potable water service. Points of delivery shall be on or adjacent to public roads, public rights-of-way, or private roads or easements as approved by the Authority. The property owner shall own and maintain all facilities downstream of this point for potable water service.
2. Water Meter: Each building or structure on an owner's property that houses a separate business operation, shall be metered separately. In no case shall the owner connect an extra user to his metered service. If multiply businesses are located in a single building or structure a central meter or individual meters for each unit can be used. If a central meter is selected by the owner of the structure, it shall be the responsibility of the structure owner to pay the entire water bill.
3. Connection of New Potable Water Service: Once the Authority determines the availability of service and all fees and charges have been collected from the applicant, the Authority will schedule with the applicant the installation of the service connection and water meter and make such installation. The property owner shall construct and bear all costs for connection of the premises to the water meter; such connection must be made by a plumber licensed with the Mississippi State Board of Contractors. Evidence of licensure shall be made available to the Authority.

### 5.3 Sanitary Sewer Service

1. Point of Delivery – Sanitary Sewer Service: The point of delivery shall not extend beyond the right-of-way of a public street or the line of a private easement onto private property unless by Agreement of the property owner. All sewer service lines, grease traps, interceptors, cleanouts, and other facilities upstream from the point of delivery shall be the property of the owner and shall be operated and maintained by the owner. All facilities downstream from the point of delivery shall be the property of the Authority and shall be operated and maintained by the Authority.
  - A. Gravity Sewer System: The point of delivery from the landowner to the Authority's gravity sewer system shall be point that the individual sewer service extends beyond the limits of a public right of way or utility easement dedicated to the Authority for installation of utilities. The extent of the service line upstream of this boundary shall be the property owner's responsibility.
  - B. Pressure Sewer Systems: The point of delivery from the landowner to the Authority shall be the connection point between the owner's individual sewer service line to the Authority's collection system. The Authority's collection system includes the individual low pressure pump station or interceptor tank with effluent pump and discharge pressure piping. The provision, operation, and maintenance of the collection system shall be the responsibility of the Authority. The provision, operation, and maintenance of the sewer service line, grease traps, interceptors, cleanouts, and other facilities upstream from the point of delivery leading from the property owner to the collection system and the electrical service and cost for connection of the electrical service to the system control panel shall be the property owner's responsibility. The Authority will require the landowner to provide an easement, see Appendix "B" for easement, to access all Authority owned equipment on private property. This easement will be filed with the Jackson County Chancery Clerk.

In the event of a dispute regarding the point of delivery of wastewater services, the general rule shall be that facilities installed by the Authority or the facilities dedicated to the Authority by a Developer shall be public facilities maintained by the Authority, and facilities upstream of that point shall be the private facilities constructed, operated, and maintained by the owner.

2. Connection of New Sanitary Sewer Service: Once the Authority determines the availability of service and all fees and charges have been collected from the applicant, the Authority will schedule with the applicant the installation of the service connection and make such installation. The owner shall construct and bear all costs for connection of the premises to the Point of Delivery; such connection must be made by a plumber licensed with the Mississippi State Board of Contractors. Evidence of licensure shall be made available to the Authority.

## ARTICLE 6 DEVELOPMENT UTILITY PLAN REVIEW POLICY

**6.1 Purpose:** Utility Plan Review of proposed developments shall be required to ensure compliance with the Authority's Rules and Regulations and Standard Specifications. The process for completing this review and the subsequent review fees are further described within this Article. This process is required for all developments meeting the following criteria within the jurisdiction of the Authority:

1. Any residential, commercial, or industrial development of two (2) or more dwelling units or lots.
2. Any business, government, or industrial development producing more than 500 gpd of wastewater and/or consuming more than 500 gpd of potable water.
3. Other special cases and projects that may be brought to the Authority's attention.

**6.2 Development Approval Process:** Developers whose projects meet the requirements of a development shall receive approval from the Authority prior to construction within the Authority's jurisdiction. All documentation and applicable fees along with non-refundable and refundable cash deposits, where applicable, that are required as stated herein shall be submitted to the Authority to receive such approval.

**Note:** Exceptions may be made and waivers provided for proposed "development" and/or property division which is done solely for the purpose of estate planning. Utility Plan Review Fee shall be paid in order to obtain approval of proposed property division. Capacity fees may be deferred to the time of single lot certification review performed by the Authority.

4. Initial Notification: Developers shall submit written notification to the Authority. Such notification shall require the Developer to complete the "Information Regarding Proposed Developments" form attached in Appendix B. Form shall include sufficient information to inform the Authority of the developments approximate water and wastewater service demands and location of development in relation to the Authority's infrastructure. Developers shall attach a preliminary plat for the development. The preliminary plat shall include:
  - A. Name of the Development and Developer with contact information, including address, phone number, fax number, Business Name, etc.
  - B. Location of the Development (including Section, Township, and Range and nearest major cross roads)
  - C. Property survey and boundary description for entire parcel in which the development will be located and the current phase of the development that is being proposed, including acreage.
  - D. Proposed development phasing, including approximate number of lots in each phase, approximate acreage of each phase, and schedule.

The Authority will respond to the Developer's submittal notifying the Developer of the upcoming process and the status and determinations of the initial review. The Authority will be reviewing the submitted information to determine the availability of existing water and wastewater infrastructure in the area of the proposed development. While not required, it is recommended that the Developer contact the Authority and request a meeting with Authority's Staff prior to submitting the initial documentation.

5. System Determination and Requirements: Based on the location of the proposed development in relation to the existing water and wastewater infrastructure and the capacity of that existing infrastructure, the Authority will determine the Development to be in one of the following designations and notify the Developer of such designation and subsequent requirements:
  - A. Development is located within the certificated area of a Public or Private Utility. Developer will be required to connect to the water and wastewater systems of the utility provider(s). The Authority will review its available capacities to transport and treat wastewater and produce potable water, where applicable. The Authority will require documentation from the Public or Private Utility; such documentation shall state that the utility provider has been notified of the development and "will• serve" the development with potable water and/or wastewater collection. If public water or wastewater service cannot be provided, it will be the responsibility of the Developer to provide water and wastewater service that is in accordance with the requirements of the Authority and the utility provider. All utility systems shall be subject to approval from all governing agencies, including but not limited to Mississippi Department of Health and Mississippi Department of Environmental Quality.
  - B. Development is located within the service limits of the Authority's proposed or existing water and/or wastewater infrastructure and the existing systems have sufficient capacity to provide said services. Developer shall be required to provide utility system(s), subject to approval of the Authority, the MS Department of Environmental Quality, and the MS Department of Health. The Developer has the following system(s) options:
    - a. Pay for the cost of a centralized or decentralized sanitary sewer collection system, as required by the Authority, and/or potable water distribution system to be designed, constructed, and owned by the Authority, i.e., Cash Deposit In Lieu of Construction. The installed system(s) will be installed by the Authority once the Authority deems it possible to provide those services to the development.
    - b. Construct a centralized or decentralized sanitary sewer collection system, as required by the Authority, and/or potable water distribution system and convey the system(s) to the Authority. Such construction shall be in accordance with all other requirements of these Rules and Regulations. If the Authority's utility system(s) is not available at the time of construction but is planned by the Authority the installed system shall be "dry."

The Developer shall be required to include in the covenants of the development the required covenant in Appendix B and notify the purchaser of the following:



- a. All structures requiring water and wastewater services on the parcel or lot shall be connected to the public utility system(s) provided by the Authority once they become available.
  - b. Until such time that public utility systems are available to the parcel or lot the owner may install an Authority approved individual on-site system(s), as discussed in Article 7.
  - c. The purchaser or owner of the parcel or lot will pay any and all charges and fees for connection to Authority's system and monthly user charges all in accordance with the Authority's established schedule of fees and charges at the time the property is connected to the centralized or decentralized system.
- C. Development is located in an area outside the service limits of the Authority's proposed or existing systems, outside the certificated area of a Public or Private Utility, or where the Authority does not have sufficient capacity or infrastructure to collect, transport, and/or treat the wastewater and/or produce and transport potable water. Developer shall be required to provide utility system(s), subject to approval of the Authority, the MS Department of Environmental Quality, and the MS Department of Health. The Developer has the following system(s) options:
- a. Pay for the cost, including property, administrative cost, engineering costs, etc., for alternative public utility systems designed, constructed, and owned by the Authority, i.e., Cash Deposit In Lieu of Construction. Such systems, include those described in Article 7, are a Decentralized Treatment and Collection System and a Public Water Supply and Distribution System or additional infrastructure to transport wastewater to an available treatment facility and water distribution piping to transport potable water from an available system.
  - b. Construct Authority approved alternative public utility systems, as described above, and convey the system to the Authority.
  - c. Request a waiver as discussed in Article 6.03 and install individual on-site wastewater treatment and water supply systems, as described in Article 7.

The Developer shall be required to include in the covenants of the development the required covenant in Appendix B and notify the purchaser of the following:

- a. All structures requiring water and sanitary sewer services on the parcel or lot shall be connected to the public utility system(s) provided by the Authority once they become available.
- b. The purchaser or owner of the parcel or lot will pay any and all charges and fees for connection to Authority's system and monthly user charges all in accordance with the Authority's established schedule of fees and charges at the time the property is connected to the centralized or decentralized system.

Once a method of wastewater collection and treatment and potable water supply is determined, the Authority will supply, upon request from the Developer, a conditional "Letter of Intent to Serve" for the development, where applicable. This letter shall state that the Authority has plans for providing wastewater and water service to the development, but actually providing such service and the guarantee of capacity from the systems will be conditional upon all applicable fees and refundable and non-refundable cash deposits being paid to the Authority.

6. Utility Plan Review: The Developer shall submit detailed utility plans and specifications for each phase of the development for review by the Authority. The Utility Plan submitted for such development as defined in this Article shall provide that the proposed utilities are in conformity with the requirements of these Rules and Regulations and other applicable ordinances and laws. Plans shall be submitted on 24" x 36" sheets and include a minimum of a title sheet, final plat (meeting the requirements of the governing planning department), and water and wastewater infrastructure plans. Plat of subdivision including all easements, property lines, and right of ways and water and sanitary sewer plan view shall also be submitted on a CD in the latest version of AutoCAD on a state plane coordinate system. Infrastructure plans shall be at a minimum scale of 1 inch equals 50 feet and include at a minimum the following information:
  - A. Engineer of Record's seal and signature on all submitted drawings and the cover of the specifications.
  - B. Water and wastewater pipe sizes, materials, and locations in relation to the proposed and existing roads.
  - C. Plan and Profile drawings for all sanitary sewer, pressure and gravity, pipelines.
  - D. Pipe and appurtenance installation details depicting minimum cover, bedding and backfill requirements, etc.
  - E. Locations of water and wastewater appurtenances, gate valves and boxes, meters and boxes, air valves and vaults, water service lines, sanitary sewer service lines, fire hydrants, etc.

Plans and Specifications shall be submitted with all necessary documentation from other governing agencies. This includes approval letter from other governing agencies such as:

- A. Mississippi Department of Environmental Quality - Approval letter based on review of wastewater system. If treatment is required onsite then all necessary permits shall be obtained and submitted prior to final approval from the Authority.
- B. Mississippi Department of Health - Approval letter based on review of potable water system. If onsite water supply is required then all necessary permits shall be obtained and submitted prior to final approval from the Authority.

- C. Local Governing Agencies (Planning Departments, Public or Private Utility Departments, Corp of Engineers, etc.) – Approval letters based on reviews of development meeting the requirements of the governing agencies. If development is located within the certificated area of a public or private utility then a letter stating that the utility intends to serve the development shall be submitted. Corp of Engineer permits, where applicable, and wetland delineation study for development.

The Authority shall certify, through its Executive Director that said plan does or does not comply with all of the Rules and Regulations of the Authority. If the Utility Plan does not comply, the Authority shall so specify in what respects it does not comply in writing to the applicant and shall then require correction and compliance before further processing.

Approval or Certification from the Authority of said plans does not supersede any approvals or permits required by other governing agencies. It shall be the responsibility of the developer to coordinate approval of proposed utility systems with the appropriate governing agencies and service providers. Developer shall meet the requirement of the Mississippi Department of Health, Mississippi Department of Environmental Quality and all other governing agencies prior to beginning construction.

The Authority may delegate the utility plan review to a Public or Private Utility within whose service boundary the development is to be constructed with which a current Memorandum of Understanding is in place with the Authority. Under this circumstance the Authority will still require all documentation required above be submitted, but will not provide formal approval of the plans. The Authority shall require that the development acquire a "Letter of Intent to Serve" from the Authority and pay all applicable fees for all utilities which the development affects the Authority's capacity for water supply and wastewater treatment and transport.

Should the Utility Plan be approved and no action taken by the Developer, this approval shall be valid for one (1) year from the time of approval.

7. Final Approval to Begin Construction: Upon completion and approval of the utility plan review the developer shall receive final approval to begin construction once all applicable fees and deposits are paid to the Authority. These fees and cash deposits include those depicted in Appendix B, contributions in aid of construction, and cash deposit in lieu of construction. The final approval from the Authority shall be required prior to construction and recording of a final plat with the Jackson County Chancery Clerk.
- A. Cash Deposit In Lieu of Construction: If the Developer decides to post a cash deposit to the Authority in lieu installing the necessary water and wastewater infrastructure then the Developer shall direct its engineer of record for the project to prepare an opinion of probable cost for the water and wastewater improvements necessary to serve the proposed development. The opinion of probable cost will include both direct construction cost and indirect costs such as legal and administrative expenses, engineering services, land acquisition, easements, and related costs associated with

extending water and wastewater services to the proposed development. The engineer's opinions of probable cost shall be based upon best judgment regarding the improvements that will be required and the best information available regarding current construction costs. The Authority will review the submitted opinion of probable cost and comment accordingly. Once this estimated cost is approved by the Authority, the Developer shall post a non-refundable cash deposit to the Authority, for the Authority to install the improvements.

- B. Contributions in Aid of Construction: If service is not readily available from existing facilities and improvements and/or extensions must be made to the water or wastewater systems before service can be provided, the engineer of record shall prepare a feasibility study and opinion of probable cost for the required improvements. The engineer's opinion of probable cost shall include the direct cost of constructing the new facilities and the indirect costs (such as engineering design, testing, and construction observation; land acquisition; legal and administrative expenses; contingencies; and similar items) required to undertake construction projects. The Authority will review the submitted opinion of cost and comment accordingly, until the estimate is approved by the Authority. The applicant for service shall be advised that a contribution-in-aid-of-construction equal to the amount of the engineer's opinion of probable construction cost will be required before service can be extended.
- C. The engineer's opinion of probable cost shall be based upon best judgment regarding current construction costs. However neither the engineer nor the Authority guarantee or warrant that the proposed improvements required providing adequate service to the applicant will be acceptable to the Mississippi Department of Health or Department of Environmental Quality or that they can be constructed for the engineer's opinion of probable cost.
- D. When the applicant for service makes a cash deposit with the Authority in the amount of the engineer's estimate of probable cost, the Authority will direct the engineer to prepare detailed hydraulic analyses and construction plans and specifications for review and approval by state regulatory agencies. Upon approval of the plans, specifications, and hydraulic studies by said regulatory agencies, the Authority will secure proposals from licensed public utility contractors, contract maintenance personnel, or use its own personnel for the proposed work. If a public contract is solicited by the Authority, its Board of Directors will award the contract for the work to the contractor in accordance with applicable local and State laws.
- E. If no acceptable contractor can be found that will perform the work for the amount of the engineer's opinion of probable cost, the applicant for service will be advised that an additional cash-contribution-in-aid-of construction will be required before the Authority's Board of Directors will award the contract to the contractor submitting the apparent low, responsive proposal. If instead the applicant wishes to withdraw his application, he will then be refunded his initial deposit with the exceptions of any engineering and administrative costs incurred on behalf of the Authority.

- F. The Authority shall maintain a separate accounting for each applicant requiring a contribution-in-aid-of-construction. All payments for work performed for the applicant shall be drawn from his account. When all work is completed, any funds remaining in the account shall be refunded to the applicant.

**6.3 Provisions for Waiver for Proposed Developments:** If the proposed development is reasonably accessible in the opinion of the Authority to an existing wastewater and/or potable water system, there will be no waiver for that particular utility. A written request for waiver must be submitted to the Authority including all information required in the Utility Plan Review.

- 8. If the proposed development is in an area that is not planned for a public wastewater and/or water system or the timing (in the judgment of the Authority) of the development precedes the availability of such public system(s), the developer may make use of individual on-site wastewater disposal systems and water well systems, provided a waiver is granted by the Authority. Waivers will be considered on a case-by-case basis with no matter for precedent. Individual on-site systems shall be as approved by the Mississippi Department of Health provided the Authority approves the following:
  - A. A professional engineer's development plan for each individual lot within the proposed development on a detailed plat. The development plan will at minimum show building locations to include, but not limited to, all proposed structures, driveways, setbacks, wetlands, and utilities.
  - B. The detailed plat showing any proposed water well and individual on-site wastewater disposal system location on the lot and their relationship to each item specified above, and proposed locations to tie into a centralized or decentralized system when such a system becomes available that would require the abandonment of the water well and/or the individual on-site system.
  - C. The developer will comply with the Mississippi Department of Health's test for each lot for an individual on-site wastewater disposal system and water well suitability.
  - D. Unless otherwise waived, the developer will construct all wastewater collection lines and potable water distribution lines from each home to an agreed upon location at the entrance to the development in accordance with these Rules and Regulations. These lines will be kept in a "dry" condition until such as the Authority connects this system to its central collection/distribution system. The developer will provide the Authority with a drawing showing each collection and distribution system.
- 9. The Authority reserves the right to consider any unique factor or request that may arise upon application for an individual waiver and at its option may grant conditional or temporary waivers.

**6.4 Dedication of Improvements:** Once construction is complete and all improvements are acceptable to the Authority, then the Developer shall donate improvements to the Authority and transfer all warranties, easements, and rights-of-way. The Developer must submit accurate as-built drawings and electronic files of those drawings before final acceptance of improvements. All warranties and documents required in the Rules and Regulations and Standard Specifications are required at time of dedication. Developer shall provide the Authority with a one (1) year warranty for all constructed utilities. Warranty period shall begin once Authority accepts constructed utilities from the Developer.

*All dedicated improvements to be owned by the Jackson County Utility Authority shall be installed by a Mississippi State Licensed and Bonded Contractor.*

**6.5 Easements and Rights-of-Way:** Utility easements, or rights-of-way of appropriate width, shall be provided in the name of the Authority. A minimum of twenty (20) feet shall be required for utility easements. Drainage easements shall not be combined with utility easements. No buildings or structures shall be placed within easements or rights of-way. Any landscaping or fencing within an easement or right-of-way is done at the risk of the individual property owner. Any overhanging limbs, shrubbery, or other vegetation forming an obstruction shall be moved if necessary from within the limits of a utility easement at the discretion of the Authority. No structures of any kind (including fences) shall impede access to any parts of the Authority's system including water meters, sanitary sewer connections, or components thereof (including power and control panels). Easements or right-of-ways which do not open at both ends upon a street, alley, or another easement, shall not be permitted.

## ARTICLE 7 WATER SUPPLY AND WASTEWATER TREATMENT SYSTEMS

**7.1 Purpose:** To fulfill its legislated mission, the Authority promotes and encourages the installation of centralized wastewater collection and treatment and public water supply systems throughout its jurisdiction. The Authority does, however, recognize that matters of economy and availability may require the consideration of alternative wastewater collection and treatment systems and water supply and distribution systems. Such consideration will be considered on a case-by-case basis with no matter for precedent.

### 7.2 Wastewater Treatment Systems

1. Decentralized Treatment Systems: On a case-by-case basis, the Authority may require the installation of decentralized wastewater collection and treatment systems in developments for lots or parcels that are not, in the opinion of the Authority, feasible to connect to wastewater infrastructure owned and operated by the Authority. Such systems shall be in the form of approved collection systems and approved mechanical and biological treatment systems. Consideration by the Authority for such systems shall be relevant to the installation in question with no consideration being given to other or similar installations or matters of precedence.
  - A. Installation: Once approved and certificated for installation by the Authority, a decentralized treatment system shall be designed by the Engineer of Record for the proposed development and installed by the developer, all in accordance with these Rules and Regulations. All costs for the system, including but not limited to the permitting, design, installation, review, and certification, shall be borne by the applicant requesting to install a decentralized treatment system.
  - B. Ownership and Operation: The applicant shall deed ownership of the completed decentralized treatment facility and all pumps, piping, and other means of collection to the Authority. The applicant shall provide the Authority with a one  
(1) year warranty of the entire treatment and collection system from the date the system is put into service for retail sales by the Authority. The Authority shall operate and maintain this infrastructure. The individual property owner receiving retail wastewater service shall retain ownership and maintenance responsibility for the individual service line to the collection system in accordance with the "Point of Delivery" for pressure sewer system.
2. Individual On-Site Wastewater Treatment Systems: On a case-by-case basis, the Authority may consider allowing the installation of individual on-site wastewater treatment systems in subdivisions for lots or parcels that are not, in the opinion of the Authority, feasible to connect to a centralized and/or decentralized wastewater collection system. Such systems shall be as approved by the Mississippi Department of Health. Consideration by the Authority for such systems shall be relevant to the installation in question with no consideration being given to other or similar installations or matters of precedence.

- A. Installation: Once approved and certified for installation by the Authority or its designee, an Individual On-Site Wastewater Treatment System shall be installed only by a contractor licensed by the Mississippi State Board of Contractors and certified by the Mississippi State Health Department prior to covering and completion of the installation. All costs for design, installation, review, and certification shall be borne by the Individual On-Site Treatment Certificate holder.
- B. Ownership and Maintenance: The individual property owner will maintain ownership of the Individual On-Site Wastewater Treatment System and be responsible for all maintenance to ensure the System operates within guidelines established by the Mississippi Department of Health.
- C. Inspection: The Authority and the Mississippi State Department of Health may make periodic inspections of the certificated Individual On-Site Wastewater Treatment system to ensure proper operation and maintenance by the certificate holder. In the event the system is determined to not be functioning correctly by either the Authority or the Mississippi State Department of Health, written notice will be delivered to the certificate holder providing notification of such findings. The certificate holder shall be compelled to make any and all necessary repairs to the system to correct any problems with the system within thirty (30) days of receipt of the written notification or connect to a public sanitary sewer system within ninety (90) days.
- D. Public Sewer Availability: Within six (6) months of a public sanitary sewer system (either centralized or decentralized) becoming available to a property being served by an individual on-site wastewater treatment system, a direct connection shall be made to the public sanitary sewer in accordance with these Rules and Regulations. At the time of the connection to the public sanitary sewer system, the individual on-site wastewater treatment system shall be abandoned as required by the Mississippi State Department of Health and the Mississippi Department of Environmental Quality.

### 7.3 Water Supply Systems

- 1. Public Water Supply Systems: On a case-by-case basis, the Authority may require the installation of public water supply and distribution systems in development for lots or parcels that are not, in the opinion of the Authority, feasible to connect to water infrastructure owned and operated by the Authority. Such systems shall be in the form of approved distribution and water well supply systems. Consideration by the Authority for such systems shall be relevant to the installation in question with no consideration being given to other or similar installations or matters of precedence.



- A. Installation: Once approved and certificated for installation by the Authority, a water supply and distribution system shall be designed by the Engineer of Record for the proposed development and installed by the developer, all in accordance with these Rules and Regulations. All costs for the system, including but not limited to the permitting, design, installation, review, and certification, shall be borne by the applicant requesting to install a water supply and distribution system.
  - B. Ownership and Operation: The applicant shall deed ownership of the completed water supply system and all pumps, piping, and other means of distribution to the Authority. The applicant shall provide the Authority with a one (1) year warranty of the entire supply and distribution system from the date the system is put into service for retail sales by the Authority. The Authority shall operate and maintain this infrastructure. The individual property owner receiving retail water service shall retain ownership and maintenance responsibility for the individual service line to the distribution system in accordance with the "Point of Delivery" for a water system.
2. Individual On-Site Water Supply Systems: On a case-by-case basis, the Authority may consider allowing the installation of individual on-site water supply systems in subdivisions for lots or parcels that are not, in the opinion of the Authority, feasible to connect to a public water supply system. Such systems shall be as approved by the Mississippi Department of Health. Consideration by the Authority for such systems shall be relevant to the installation in question with no consideration being given to other or similar installations or matters of precedence.
- A. Installation: Once approved and certified for installation by the Authority or its designee, an Individual On-Site Water Supply System shall be installed only by a contractor licensed by the Mississippi State Board of Contractors and certified by the Mississippi State Health Department prior to covering and completion of the installation. All costs for design, installation, review, and certification shall be borne by the applicant.
  - B. Ownership and Maintenance: The individual property owner will maintain ownership of the System and be responsible for all maintenance to ensure the System operates within guidelines established by the Mississippi Department of Health.
  - C. Inspection: The Authority and the Mississippi State Department of Health may make periodic inspections of the certificated System to ensure proper operation and maintenance by the certificate holder. In the event the system is determined to not be functioning correctly by either the Authority or the Mississippi State Department of Health, written notice will be delivered to the certificate holder providing notification of such findings. The certificate holder shall be compelled to make any and all necessary repairs to the system to correct any problems with the system within thirty (30) days of receipt of the written notification or connect to a public water system within ninety (90) days.

- D. Public Water Availability: Within six (6) months of a public water distribution system becoming available to a property being served by an individual on-site water supply system, a direct connection shall be made to the public water system in accordance with these Rules and Regulations. At the time of the connection to the public water system, the individual on-site water supply system shall be abandoned for potable uses as required by the Mississippi State Department of Health and the Mississippi Department of Environmental Quality.

## ARTICLE 8 WASTE HAULER PROGRAM

- 8.1** Waste Haulers (individuals who service septic tank systems) for domestic wastewater shall request ongoing treatment services from JCUA. Waste from other than domestic sources will be accepted by JCUA on a case by case basis. These requests shall be made to JCUA's Operations Manager (phone 228-762-8250).
- 8.2** Domestic (septic) waste will be received at the JCUA's facility in Pascagoula, Mississippi (3103 Frederic St.), from 6:00 a.m. to 5:00 p.m., Monday through Friday. The facility will not accept waste on holidays. Should it be necessary for the hauler to deliver to JCUA after normal hours or on non-scheduled days, they will need to notify the Plant Supervisor or Operations Manager for approval. John Street, the first street on the left leaving JCUA's facility, is a **non "truck"** thoroughfare road. All haulers leaving the facility are to use Dupont Street. Local authorities will be notified of illegal road usage.
- 8.3** A maximum of 10,000 gallons of waste dumpage per twenty-four hour period is all that will be accepted. This is a cumulative maximum consisting of all deliveries from all service companies desiring to dump at the facility on a given day, and is on a first-come, first-served basis.

The hauler will be allowed to dump waste product at the facility as long as it complies with the requirements of our Rules and Regulations (copy attached.) The hauler may deliver up to a maximum of 2,500 gallons per day as long as the 10,000 gallon total maximum has not been reached.

- 8.4** The waste hauler's truck driver is to make contact with JCUA's plant operator prior to any discharge so that each dump procedure may be monitored.

Random sampling will be conducted on the truck discharge for laboratory analyses. JCUA reserves the right to refuse acceptance of the waste if, in its opinion, it might cause an adverse effect on its treatment process.

The current schedule of charges for services is depicted in Appendix A.

Billings will be made monthly to the waste hauler. Payments are due within 30 days of billing. Late payments are subject to a 1 1/2% monthly service charge.

- 8.5** Waste Haulers are required to have a license from the MS Dept. of Health and on file with the Jackson County Utility Authority.