

# MARTIN COUNTY SANITATION DISTRICT



## SANITATION RULES AND REGULATIONS FOR SERVICE

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**Effective Date: 12/28/2023**

### **RESOLUTION**

Be it resolved by the Board of Directors for the Martin County Sanitation District, of Martin County Kentucky, that the rules and regulations in which sewer service will be provided to the customers of the Martin County Sanitation District, are hereby set forth. These rules and regulations provide for orderly service and system uses, sets standards for connections to the system, sets rates and charges, provides for protection of waste water, sets penalties for violations and other matters relating thereto. It is also noted that these Rules & Regulations are intended to comply with all State and Federal requirements, and should a conflict arise deference is given to the agency with governing authority. On this motion duly made, seconded, and carried, this resolution is hereby adopted by the Board of Directors of Martin County Sanitation District, Kentucky on this 28th day of December 2023.

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

MARTIN COUNTY SANITATION  
DISTRICT, KENTUCKY  
SANITATION  
RULES AND REGULATIONS FOR  
SERVICE INDEX

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**Rule #1.      General, Sewer**

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

- A. The Rules and Regulations of the District shall govern and be enforced by the District and its agents. The Rules have been adopted to govern the services provided in the best interest of the District and the District's customers and to provide for consistent and orderly use of the District's sewer system and are based on the Rules and Regulations ordered by the Martin County Sanitary Waste Disposal Ordinance. The Rules and Regulations apply to all persons, firms, businesses, corporations, partnerships and governmental entities, etc. using or intending to use sewer services provided or to be provided by the District.
- B. All persons, firms, corporations, partnerships, etc. desiring to obtain sewer services from the District shall request to obtain such services. All applicants shall meet and follow all requirements set forth in these rules and regulations and its Ordinance. Failure to do so may result in disconnection of service or other penalties as defined herein.
- C. All connections to District's sewer system shall be requested in advance, connection fees paid in full or set up on a payment plan, be properly installed prior to the turn on of service.
- D. The sewer services made available under these rules are for the sole use of the person, persons and customer at his/her premise(s) and he/she shall not resell in any manner any sewer service without the specific written consent and permission of the District.
- E. Sewer service is for the sole use service described above and prohibits any extension of pipes, hoses, etc. to transfer Sewer services from one property to any other property, person, persons, or customer and also prohibits any person, persons, customer from sharing, reselling, submetering to another person, persons or customer. No more than one premise shall be served by a service connection unless express written permission is given by the District on an individual basis. A farm containing a residence and outbuildings for use in farming operations shall be considered as one residence and that customer may use sewer service from a single connection for all such buildings. Farms containing more than one residence require that each residence be connected and metered separately.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/23/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Rule #1. General, Sewer (continued)

- F. The District has the right to inspect tanks, pumps, backflow prevention devices and all other sewer fixtures, lines and appliances for the use of sewer whenever deemed necessary by the District for the purpose of regulating such use, keeping accurate account, preventing waste, leakage or other violations of these rules and regulations. For such purpose it shall be the duty of the sewer customer to allow District access to their premises at reasonable times and intervals; should any person, persons or customer refuse to allow such access, upon order of the District, sewer service may be discontinued and withheld from any customer so refusing.
- G. The District reserves the right, at any time, without notice, to discontinue sewer service in their collection lines for the purpose of making extensions, repairs or for any other purpose they deem to be in the best interest of the District's systems and customers. The District reserves the right to discontinue sewer to any customer, at any time, so long as the service pipe through which such user may be supplied, or any tank, or any pump, or any part of any such pipe of system may be out of order or in disrepair for the proper disposal of sewer service through same. When reasonably possible the District will attempt to notify in advance of service interruptions when sewer service will be limited, restricted or temporarily shut off.
- H. All persons and customers are hereby advised and cautioned that risk of damage due to the discontinuance or disruption of sewer service is hereby assumed by the customer. The District is not liable for damages caused by defective piping or appliances on the customer's premises or for any defect in customer's sewer piping. It is expressly understood and agreed by and between the District and the customer/user that no claim shall be made against the District by reason of breaks, leaks, bursting of, repairs to, or maintenance of any sewer facilities owned by the District or for any failure to supply service for any reason.
- I. No sewer of any kind, including sewer service lines and mains shall be installed within any right of way or easement of the District or be connected to the District's sewer system unless approval is given by the District and connection fees are paid. All sewer service shall be billed as set forth in these rules and regulations.
- J. Line extensions and connections to the District sewer system shall be at the sole cost of the customer or user and all extensions and connections shall be subject to the District's

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

approved inspection. The District reserves the option to provide incentives and participate in line extensions, if the line extension is deemed to be beneficial to the District.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Rule #2. Definitions

Definitions shall be as follows:

Affected Property Owner – any person owning property in Martin County and has not been granted a centralized sewer connection waiver

Centralized Sewer System - a system comprised of collection pipes that convey raw sewage from occupied buildings in a community to a sewage treatment plant, for processing and eventual discharge of treated water into adjacent surface water

Certified Installer – a specific individual person who has met the requirements for certification contained in KRS 211.357 and the certification maintenance requirements contained in Kentucky Administrative Regulations

Effluent – the liquid discharge of a septic tank or other sewage pretreatment unit

Inflow – water other than wastewater that enters a sewer system from means such as roof drains, yard drains, area drains, drains from springs or swampy areas, openings in manhole covers, cross connections with storm sewers, catch basins, cooling towers, storm waters, source runoff, street wash waters, drainage which source directs rainwater into the sewer system

Big Sandy Area Water Management Planning Council – regional planning council authorized by the Kentucky General Assembly that includes Martin County

Onsite Sewer System – a complete system installed on a parcel of land under the control or ownership of any person, which accepts sewage for treatment and ultimate disposal under the surface of the ground. The common terms “on-site sewage system” or “on-site system” also have the same meaning

Open Ditch or Drain – a paved or unpaved linear depression made in the surface of the earth that allows polluted water to collect and flow away illegally from an occupied building’s sewer system or sewer system component

Person – any individual, firm, corporation, association, organization, partnership, business trust, company or governmental unit

Sinkhole – a naturally occurring topographic depression in a karst area. Its drainage is subterranean and serves as a recharge source for groundwater and it is formed by the collapse of a conduit or the solution of bedrock

Straight Pipe – an illegal sewage disposal system that transports raw or partially settled sewage directly to an open ditch on ground surface, creek or creek branch, lake, or other surface water

Surface Water – those waters having well-defined banks and beds, either constantly or intermittently flowing; lakes and impounded waters; marshes and wetlands; and any subterranean waters flowing in well-defined channels and having a demonstrable hydrologic connection with the surface. Effluent

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# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #2. Definitions (continued)

ditches and lagoons approved for use in sewage treatment which are situated on property owned, leased, or under valid easement by a permitted discharger are not considered to be surface waters of the Commonwealth

Wastewater – is used interchangeably with the term “sewage” and “sewers”

Water Resource Information System – Kentucky’s database of all water and sewer projects proposed by all water and sewer systems

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Rule #3. Application, Supply and Taking of Service

- A. Applicant shall be responsible for requesting service from the District and in doing so requests and becomes a customer. Before the District begins rendering sewer service, the applicant/customer shall supply such necessary information as required by the District including but not limited to customer(s) name(s), driver's license number(s) or other government issued identification number(s), address, telephone number, requested date for start of service, and signed Sewer Service Contract. Any customer who has taken service from the District without requesting such service from the District shall be considered to have expressed consent to the District's rules and regulations and shall be responsible for any and all appropriate sewer charges/payments as specified in the District's rules and regulations beginning on the first day of taking such service. The District reserves the right to make reasonable estimation of service usage if an exact determination cannot be made.
- B. Applicants and customers for sewer service shall conform to all rules and regulations as approved and as those rules and regulations may be modified, revised or amended from time to time.
- C. Commercial applicants and customers shall, upon request, present in writing a list of sewer devices which are or are proposed to be attached to the sewer lines servicing the building and/or property, giving location, types, size of devices and estimated daily water flow. The District will then advise of any improvements that must be constructed or any special conditions of use that must be followed by that commercial applicant or customer. The District reserves the right to advise and require any special sewer waste discharge conditions, prohibitions, restrictions up to and including any special pretreatment requirements or facilities before accepting sewer waste discharges.
- D. No substantial increases or additions to sewer use, sewer use equipment or appliances may be connected to the District sewer system by Commercial Customers except upon written notice to the District and with the written consent of the District.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023



# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #3. Application, Supply and Taking of Service (continued)

- E. All applicants and customers are required to pay security deposits prior to the initiation of service. Failure to pay security deposits may result in refusal or termination of service.
- F. The District reserves the right to reject any applicant and/or customer request for service that does not comply with any District rule and regulation. Rejection may include, but not be limited to, refusal and disconnection of sewer service, in which the District may notify any appropriate local authorities if the District deems a public health detriment exists, could exist or will exist.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Rule #4. Connection Fees and Procedures

#### Section 1. General, Sewer

- A. All new connections to the District's sewer system shall be subject to payment of a connection fee(s) for the right to connect to the District's sewer system. The connection fee includes the right to connect to the District's sewer plus includes the District's installation and material cost to make said sewer connection.
  
- B. Connection fees to the District's sewer system shall be due and payable prior to any connection.
  
- C. No sewer service line shall be connected to any line owned by the District or any private line that may be connected to the District's system until all connection fees are paid, or payment arrangements have been established. If any such lines are connected, the District may disconnect any such line, lateral or pump system and charge the owner, developer, contractor, plumber or any other person, persons or parties, jointly or severally liable, all costs incurred for the disconnection, including but not limited to, attorney fees, court costs and interest earnings from the date of connection.
  
- D. Unless otherwise agreed to in writing, the District shall install and construct or cause to install and construct all new sewer connections, including but not limited to tapping the sewer main, connecting the sewer line between the sewer main and the sewer tank, and installing other appurtenances related to the new sewer connection between. All sewer connections, as well as the materials and workmanship used in those connections shall be subject to inspection and approval of the District prior to the initiation of service. Connections, materials and/or workmanship not meeting inspection approval shall be corrected so as to meet the inspection approval prior to the initiation of service or those connections are subject to disconnection. Furthermore, the District will not be required to provide sewer service until connections to District's sewer system is approved by the District. Whereas, in the interest of the district and developers, a special arrangement

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# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Section 1. General, Sewer (continued)

providing a lower cost for sewer installations may be mutually beneficial, the following applies:

1. Special arrangements for the cost of sewer are only applicable to developers that have privately funded the installation of sewer mains the District has formally accepted the construction thereof as their own, and there are two or more lots within the development.
  2. The installer of the septic shall be approved by the District Manager.
  3. The materials installed by the pre-approved Developer and/or approved contractor shall comply with the standard materials of all sewer installations within the District and be the materials designated by the District Manager.
  4. The District shall charge the actual cost of the sewer installation which shall be paid prior to activation and installation of the service.
  5. All other provisions of the sewer user's agreement are applicable and remain in full force.
- E.** Locations of connections to the District's system will generally be given and directed by the District. Any deviation to prescribed location will need prior approval by the District. Connections, service lines, etc. will not be extended along public streets or roadways or through property of others to the point of connection without the written prior approval of the District. Connections to the District's system that must be excavated for inspection shall have that excavation performed at the customer's expense.
- F.** The District may construct sewer system improvements to serve a particular area as may be described by the District from time to time. The sewer system improvements shall connect with public, or other District sewer system. The Board may cause the sewer system improvements to be constructed in each area whenever the Board shall deem the sewer system improvements necessary to thereby promote public health and sanitation, make available conveniences not otherwise possible, and for the general public welfare.
- After the District has entered into a contract for construction of the sewer system improvements, the District's engineer shall compute the whole cost thereof and shall apportion the same against the lots or tracts of ground in the area to be served by the sewer system improvements, exclusive of the public highways, and the District engineer

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# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

shall report the same to the Board of Directors of the District, and the Board shall therefore levy a surcharge against each lot or piece of ground within the area to be served by the sewer system improvements as they connect to the same.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #4. Connection Fees and Procedures

### Section 2. Sanitation Connection Fees and Procedures

- A. Connection/inspection fees for the right to connect to the District's sewer system are set on the applicable tariffs in **Appendix A**.
- B. All connection fees above shall be paid at least 5 business days prior to the scheduling of a connection or request for inspection of connection.
- C. A minimum of 48 hours is required for the scheduling of a connection or request for inspection of connection. Any persons or firms excavating in City, County or State rights-of-way must have the proper permits from that particular entity prior to any excavations and may be required to produce proof upon demand
- D. Connections to the District's sewer systems shall be made at the sole cost of the customer, builder, developer, or property owner including all labor, material, and supplies.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #5 Security Deposits

- A. Security deposits for sewer service in the District shall be as follows as approved by the Martin County Utility Board on                     :
- B. Security deposits shall be paid prior to the initiation and start of service.
- C. Security deposits shall be required for all NEW customers, residency changes made by customer with a poor payment history and finalized accounts with poor payment history.
- D. Security deposits shall be held with interest. Interest shall be added to customer's account annually. Deposits shall be credited to the customer's final bill and any credit balance returned to customer.
- E. Security Deposits, at the request of the customer and upon subsequent approval by the District, may be transferred from a customer's previous account to that customer's new account. Security deposits are not transferable from one customer to another customer in any way.
- F. The owner of any multi-unit building (residential or commercial) containing two or more units, shall be considered the user of water furnished to the building and is liable for payment of security deposit and service bills, unless the owner installs or causes to be installed separate water meters for each and every unit. Only if separate water meters are installed are the tenants allowed to be the customers for water and/or sewer service. In all other cases the owner shall be deemed the customer by the District.
- G. Security deposits are set by the Martin County Utility Board.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Rule #6. Sewer Rates and Charges

- A. A charge for sewer service to customers of the District shall be made based on water meter readings and computed at the rates herein set on the applicable tariffs in Appendix A, whether single metered or master metered. The District, through its authorized employees and agents, may read water meters monthly, and statements (bills) shall be rendered accordingly.
- B. Failure to receive a bill and/or (delinquent) notice of non-payment or payment not received shall not excuse the customer from their obligation to pay for sewer service when a bill is submitted.
- C. Whenever, for any cause, a water meter fails to operate correctly, or for some reason the District is unable to read the water meter, the District shall make a reasonable estimate of the amount of water and sewer supplied by the District during the specified period and the customer shall be liable for payment based on the estimate of water and sewer supplied.
- D. Grinder pumps will be owned and maintained by the District. Meters will be kept in proper operating condition by the District. Grinder pumps or other components damaged or destroyed through tampering or abuse will be repaired or replaced at the customer's expense. The District, at its discretion, may consider a one-time waiver of fees to repair accidental damages to grinder pumps. Grinder pumps that fail or are replaced due to routine use and wear will be repaired or replaced at the District's expense. **Appendix B**
- E. From time to time, and in amounts determined by the Federal, State and Local Authorities, the District will bill and collect for primacy fees, taxes, user fees, laboratory fees and after doing so, will pass those fees onto those appropriate State or Local Authorities.
- F. Each customer, user, or owner of the premises connected to the District's sewer system shall pay for sewer expelled into the sewer system each month according to readings of the water meters (or estimates thereof) for each particular connection for all bills issued as set on the applicable tariffs in Appendix A.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #6. Sewer Rates and Charges (continued)

- G.** The customer must request a leak adjustment in writing to the utility. The customer's bill will be based on two components. The first step will be to calculate the customer's average monthly usage over a twelve (12) month period. The second step will be to deduct the customer's average monthly usage (as calculated in the above) from the total amount of the sewer billed. If meter readings are not available for an entire twelve (12) month period, the sewer will be estimated by the utility, subject to an upward or downward adjustment once a twelve (12) month average of actual readings can be calculated. A customer will be allowed a one (1) leak adjustment in a rolling twelve (12) month period subject to the following conditions.
1. Board of Director Approval
  2. Proof of repair to service line (Receipts, photos, and/or inspection by DISTRICT staff)
  3. The following months usage has shown significant decrease consistent with a repaired leak
  4. Each adjustment may cover a maximum of two (2) billing periods.
- H.** Customers who request initiation of service within 10 days of the start of the monthly billing period will not be billed a minimum charge for that first month; any and all usage during the first month will be billed in the next month's billing period. Customers who request disconnection of service for a portion of the regular may receive a prorated bill for that portion of the billing period service is received.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023



# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #7. Billing, Payment of Bills and Collections

- A. Sewer service shall be deemed to be furnished to the occupant.
- B. Sewer service will be billed monthly on or about the 1<sup>st</sup> of each month. Bills are due and payable on the date of issuance.
- C. Bills not paid by the 15<sup>th</sup> of each month are considered past due and delinquent. Bills not paid by the 15<sup>th</sup> of each month will be subject to a ten (10) percent delayed payment charge of the current water and/or sewer service charges due which shall be added to the amount due and are subject to immediate disconnection without further notice. Any said delinquent bill shall be disconnected five (5) days after the disconnect notice is mailed and the water meter will be locked or removed.
- D. Payment must be received, not postmarked, before the close of business day (4:00 PM) on the 20<sup>th</sup> day- following issuance of the bill; otherwise, the delinquent bill will be assessed the late payment penalty approved and on-file with the Public Service Commission. Should the 20<sup>th</sup> day following issuance of the bill fall on a weekend and/or holiday, the next business day following that will be held as a day of grace for delivery of payment.
- E. Customers whose service has been disconnected for nonpayment of bills are required to pay the past due and current amounts of service rendered by the District to the District as well as any and all disconnection and reconnection charges due prior to the restoration of water and/or sewer services disconnected.
- F. Failure to pay a bill on an account which has a past due balance shall subject the service to disconnection. Services subject to disconnection, unless previously agreed on by the District, are subject to the following disconnection-reconnection charges as shown below:

\$20.00, from 8:00 AM to 4:00 PM Monday through Friday, excluding Holidays. No payment from customers to service personnel will be accepted at the time of

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Rule #7. Billing, Payment of Bills and Collections (continued)

- disconnection to avoid loss of service. The \$20.00 disconnect and reconnect fee will be applied to the past due amount once the customer service personnel leave the office to perform disconnection of service on accounts that are past due.
  - No reconnection or restoration of service will be made after 4:00 PM Monday through Friday, and all-day Saturday, Sunday or Holidays unless an emergency or life-threatening situation exists. If restoration of service is after business hours, a fee of \$55.00 will add added to the customer's account.
- G.** Returned checks due to insufficient funds, closed accounts or other reasons will be considered seriously past due and delinquent accounts. Customers of such accounts will be given notice to make immediate restitution and pay a \$25.00 returned check charge and in doing so may avoid service disconnection. Customers who do not make restitution and pay the \$25.00 returned check charge are subject to water and/or sewer service disconnection without further notice and are subject to the charges outlined in section F. above.
- H.** In all cases involving returned checks, only cash, money orders, cashier's checks, or online credit card will be acceptable for payment of services rendered for that particular restitution of payment. Future incidents involving returned checks may require all future payments for services rendered to be cash, money order, or cashier's check.
- I.** From time to time, customers may request a payment arrangement. If such a request is made, District personnel may enter into a District approved payment arrangement unless the customer has previously defaulted on 1 or more arrangements within the last 24 months, except that balances less than \$50 must be paid in full. Under payment plan guidelines, the current balance must be paid by the due date plus the District agreed-upon amount of the old balance.
- J.** For any water and/or sewer customer's account delinquency the customer is responsible and liable for all costs incurred to collect this debt including collection fees, Attorney fees and costs. The District may direct the attorney for the District to file suit against any customer whose account is considered delinquent for one hundred eighty (180) days or more or is delinquent in amounts exceeding two hundred fifty dollars (\$250).

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Rule #7. Billing, Payment of Bills and Collections (continued)

- K. Customers who will be temporarily vacating their premises may request temporary suspension of water and/or sewer service. All such customer requests must be in writing and indicate the beginning date of temporary suspension of service. Customers who are granted temporary suspension of water and/or sewer service for one or more full billing periods will not be charged for services during the time service is temporarily suspended. Service will be considered restored and billable for both water and sewer during the billing period in which water usage resumes. Bills for restored service will be for the full billing period and will not be prorated for portions of the billing period.
  
- L. Water and sewer service shall be deemed to be furnished to the occupant and/or owner of the residence or establishment receiving the service. All reasonable attempts will be made to collect payment for service from the occupant. If the occupant fails to pay for service, the District reserves the right to make all reasonable attempts to determine the ownership of the residence or establishment, and, at the option of the District, and in accordance with State Statues, to hold the owner responsible for service if so deemed by the Board of Directors.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #8. Private Systems

- A. Private water supply systems serving building or premises which discharge into the District's sewer system shall be required to be either water or sewer metered. Meters shall be of a type and size approved by the District. Meters shall be read by the District or at the District's option, readings and usages be made available to the District. In some instances, customers may be allowed to pay a flat rate sewer charge.
  
- B. No sewer service connection shall be installed or maintained to any premises in which the plumbing systems, facilities, point of use devices and water fixtures have not been constructed or installed using acceptable plumbing practices considered by the District necessary for the protection of the District sewer collection system and for the protection of the health and safety of the District's customers.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #9. Sewer Line Extensions

- A. The specifics and details of this rule pertaining to sewer line extensions are generally described in the latest edition of the Martin County Utility Board Tarriff, a copy of which can be obtained upon request from the District. All existing and current practices, written and unwritten, now in effect, remain in effect and may be amended from time to time. All sewer line construction and sewer line extensions shall be designed in accordance to industry standards set forth by the Division of Waste Management. Prior to any construction of any sewer line extension, all applicable planning, engineering, reviews and permits must be approved in writing by the District and all other applicable governmental agencies. Also, any applicable inspection fees must be paid.
  
- B. Nothing contained herein shall be construed to prohibit the utility from making extensions under different arrangements if such arrangements have received the prior approval from the Martin County Utility Board.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT

## RULES AND REGULATIONS

### Rule #10. Penalties for Violation

- A. Any user, person, firm, customer, corporation, partnership, etc. found to be in violation of any provision of these rules and regulations or who fails to comply with any of the requirements stated herein or who deliberately tampers with, operates or otherwise uses a District owned sewer line, sewer manhole, sewer cleanout, sewer pump station or wastewater treatment facility shall be subject to an administrative charge in addition to any costs incurred by the District for repairs necessary due to any tampering or failure to follow rules and regulations of the District. Each day of violation and each tampering incident shall count as a separate occurrence.
  
- B. The District shall have the option and authority, in lieu of, or in addition to the above penalties, to discontinue water and/or sewer service to the buildings and/or premises in violation of the requirements, rules and regulations herein. The District absolves itself of any claims of liability for damages incurred as a result of discontinuance of service. Any such liability or damages resulting from the discontinuance of water and/or sewer service is the responsibility of the customer, user, owner, etc.
  
- C. Water and/or sewer service shall not be restored until the violations have been corrected and eliminated to the satisfaction of the District and once service has been disconnected, all charges, fines, court costs and permit fees must be paid prior to the restoration of service.
  
- D. Nothing contained herein shall prevent the District from taking other lawful actions as necessary to protect the health and safety of the public and/or to prevent damage to the District's water and/or sewer systems and facilities, including obtaining court orders in law or equity. Should the District go to court in law or equity against any one or more customers, users, owner/owners, then such customer, user, or owner/owners shall pay for all costs thereof, including attorney's fees.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Rule #11. Severability and Effective Date

- A. This resolution provides that the rules and regulations covered herein supersede previous rules and regulations pertaining to the items herein addressed. Should any provision or portion of this resolution, rules and regulations be found to be unlawful or invalid by any court of competent jurisdiction, the remaining portions and provisions of this resolution, rules and regulations shall continue to be in full force and effect.
  
- B. That this resolution be in full force and effect upon the adoption by the Martin County Utility Board and the effective date noted herein.

Jimmy D. Kerr

Jimmy D. Kerr - President

SEAL

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

ATTEST:

*Cassandra Moore*

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Cassandra Moore - Clerk

On motion duly made, seconded and carried, this resolution is hereby adopted by the Board of Directors of Martin County Sanitation District, Martin County, Kentucky on this 28th day of December, 2023.

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023



# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Appendix A

### A. MONTHLY RATES:

First 2,000 Gallons	\$33.00	Minimum Bill
Over 2,000 Gallons		0.01481 per gallon

Sewer Debt Service Surcharge	\$5.00	Per Month
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### B. TAP FEES:

Grinder Connection	\$2,600.00
Gravity Connection	\$370.00

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Appendix B

### Grinder Pump Agreement

#### Section 1. PURPOSE

This agreement is to be executed between the Martin County Sanitation District (MCSD) and the homeowner, business, property owner, developer, and/or user of the grinder pump system, hereinafter called the "CUSTOMER". It does not create any third-party contract or third-party beneficiary rights, and it is not intended to do so. This Customer Agreement ("AGREEMENT") must be fully executed in order to obtain service as per the requirements in the MCSD's pressure sewer policy ("POLICY").

#### Section 2. AGREEMENT

##### A. Basic Information:

1. Being that the CUSTOMER is required to purchase sewer service from the MCSD, and that a pump is necessary to receive this service, the CUSTOMER is choosing to enter into this AGREEMENT. Under the terms of the POLICY, a grinder pump ("GP") will be necessary to provide sewer service to the CUSTOMER, the CUSTOMER agrees that the GP will be installed on their property at a location that is accessible by the MCSD.
2. The GP will operate automatically to convey the sewage from the CUSTOMER to the MCSD's collection system. Should the GP fail to operate correctly, a warning light will alert the CUSTOMER of the failure and the CUSTOMER must then in turn contact the MCSD immediately to prevent a sewage discharge on or in the CUSTOMER's property.

##### B. CUSTOMER's Responsibility

1. Acceptance of this AGREEMENT is acknowledgment by the execution of this document.
2. The CUSTOMER must pay all applicable connection fees and charges, as documented in the MCSD's current schedule of water and sewer rates.
3. Allow MCSD personnel full and unrestricted right of ingress and egress onto and through the property where the GP is located for the purpose of inspecting and maintaining the
4. GP. Said right of entry is hereby granted as a part of this AGREEMENT, and no further easement is therefore required.
5. Install and maintain all gravity laterals from the house to the cleanout located before the pump station.
6. Minimize the construction of any improvement around the GP and service line: this includes but is not limited to trees, shrubs, fences, landscaping, driveways, and other permanent structures.

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# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Grinder Pump Agreement

7. The MCSD should be contacted prior to the construction of these improvements to ensure that this is no conflict with the GP. A minimum clearance of five (5) feet shall be maintained in all directions around the GP for proper maintenance; if the MCSD finds it necessary to remove any improvements around the GP, they may do so without warning, and they will not be held responsible for the replacement or reimbursement of the removed improvements.
8. CUSTOMER shall provide, and pay for, proper current and voltage electrical power to the pump station at all times. During power outages, the CUSTOMER must reduce the wastewater flow to the GP to an absolute minimum. An electrical disconnect switch shall be provided within site of the pump station, and in the location that is accessible at all times.
9. Maintain proper grading around the pump station to ensure runoff does not collect around the station, as well as not covering the stations access cover, vents, bypass box, or other controls.
10. Care shall be taken to prevent items that may damage the pump stations from being transferred to the pump station through the lateral. Such items include any petroleum-based products, cleaning solvents, paint thinners, eggshells, seafood shells, grease, gravel, glass, metal objects, wipes of any kind, latex or rubber, needles or syringes, or other sharp and hard objects.
11. The CUSTOMER is responsible for all damage to the GP resulting from negligence; this includes, but is not limited to, lawn care equipment, vehicular traffic, unauthorized excavation, the transfer of damaging items into the GP through the service lateral, or any willful damage.
12. CUSTOMER shall ensure that all sewage being transmitted to the MCSD shall in conformance with the current Pretreatment Ordinance as adopted by Martin County.
13. The CUSTOMER shall notify the MCSD immediately of any failure or alarming of the GP, and the MCSD is indemnified for any damages that may arise due to failure of such notification.

### **C. MCSD's Responsibility**

1. Aid the CUSTOMER in the design of the GP, including choosing the best location for the pump station and determining the connection point.
2. Perform installation of grinder pump station at appurtenances.
3. Make any repairs to the GP related to routine wear and tear; these repairs include the parts and labor necessary to make such repairs.
4. Respond promptly to any emergencies related to the GP, twenty-four (24) hours a day, seven (7) days a week.
5. Any improvements that are removed within five (5) feet of the GP will not be replaced.

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# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

## Grinder Pump Agreement

**D. In Case of Emergency:** Should the warning light become lit at the pump station, or should sewer service get interrupted to the CUSTOMER in any way, the MCSD must be contacted immediately by using the following procedure:

1. Contact the MCSD'S regular office phone number, at (606) 298-3885.

**E. CUSTOMER Acceptance:**

The CUSTOMER agrees to the terms of this AGREEMENT, and thus executes this agreement with the following signatures and seals:

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Service Address or Location

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Premise ID

\_\_\_\_\_  
Printed CUSTOMER Name

\_\_\_\_\_  
CUSTOMER Signature

**F. CUSTOMER Declines Agreement:**

The CUSTOMER does not agree to the terms of this AGREEMENT, and thus declines this agreement with the following signature and seals thereby relieving the Martin County Sanitation District of all maintenance responsibility to their grinder pump station.

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Service Address or Location

\_\_\_\_\_  
City, State, Zip

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Approved \_\_\_\_\_ Date Approved: 12/28/2023 Date Effective: 12/28/2023

# MARTIN COUNTY SANITATION DISTRICT RULES AND REGULATIONS

\_\_\_\_\_  
Premise ID

\_\_\_\_\_  
Printed CUSTOMER Name

\_\_\_\_\_  
CUSTOMER Signature

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