

ORDINANCE AMENDING AND RE-ENACTING SECTION 7-3-67 – ELEVATION OF BUILDING SEWER, SECTION 7-4-9 – ADJUSTMENTS FOR EXCESSIVELY HIGH CONSUMPTION, SECTION 7-5-1 – PROHIBITED CONDUCT AT RESERVOIR, AND SECTION 7-5-2– WATERSHED WEST OF RAWLEY SPRINGS, AND REPEAL AND RESERVE SECTIONS 7-5-3 AND 7-5-4, OF THE CODE OF ORDINANCES CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

Sections 7-3-67, 7-4-9 and 7-5-2 be amended as shown:

Sec. 7-3-67. Elevation of building sewer; lifting of sanitary sewage where building drain is too low.

~~Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer or the building drain is low such to provide a natural relief for surcharge public sewers, sanitary sewage carried by such building drain shall be lifted by a means approved by the Director and discharged to the building sewer.~~

In any building in which a sewer fixture provides an open atmosphere relief (e.g. a plumbing drain such as a bathtub, shower, toilet, or floor drain) at an elevation below the elevation of the rim of the next upstream public sewer manhole, the building drain shall meet the requirements of Sec. 7-3-69 and the Uniform Statewide Building Code, including the requirements for a backwater valve or lift pump and necessary permits.

Sec. 7-4-9. Adjustments for excessively high consumption.

- (a) *Procedures.* Where a customer incurs ~~there occurs~~ an unusual and excessively high monthly increase in a ~~customer's~~ water and sewer bill for a service address (a “high usage event”), which ~~excessively high usage event increase is consistent within~~ meets the qualifications and limitations in subsection (b) below, the following shall be undertaken with the permission of the customer:
- (1) The department, at no charge to the customer, shall re-read the meter to assure accurate collection and transfer of data.
 - (2) The department, at no charge to the customer, shall assist customer efforts to identify abnormal usage or leakage by observing metering patterns during customer performed activities.
 - (3) The department, at no charge to the customer, may provide consultation and recommendations to assist the customer, however, provided the customer shall hold harmless the city with recognition that total responsibility for matters beyond the meter reside with the customer.
 - (4) The department may conduct a meter accuracy test pursuant to AWWA approved procedures upon request by the customer. The charge for the test shall be according to

section 7-4-1(d) (other charges) however, such fee shall be waived if the meter fails to conform to accepted AWWA metering accuracy tolerances.

- (b) *Qualification and ~~limits~~ adjustment policy. Circumstances accepted to validate an adjustment* A customer shall be limited to one (1) adjustment for a high usage event per service address in any thirty-six (36) month period. ~~event.~~ A service address with a high usage event which lasts more than three consecutive months shall be subject to discontinuation of service pursuant to Sec. 7-2-16. An adjustment for a high usage event shall be limited to three months of usage. ~~n event shall not extend greater than three (3) months, otherwise subject to compliance under section 7-2-16.~~ A request for an adjustment under this section must be received within 6 months of the billing date for first month of the high usage event. The customer or property owner is responsible for any and all costs associated with the maintenance, repair, or replacement of infrastructure or equipment, including service lines and plumbing fixtures, on the property owner's side of the meter.

Type of Adjustment	Qualification	Water Charges	Sewer and Authority Charges
Water only	(1)	(5)	(6)
Full service	(2)	(5)	(5)
Excessive- unidentified	(3)	(5)	(5)
Errant data	(4)	(6)	(6)

The remainder of Section 7-4-9 is reaffirmed and reenacted in its entirety, except as hereby modified.

Sec. 7-5-1. Prohibited conduct at reservoir.

It shall be unlawful for any person to bathe in the reservoir or to deposit any offensive matter or rubbish therein. ~~or, without lawful authority, to enter the enclosure of the reservoir or to fish in the reservoir.~~

Sec. 7-5-2. Regulation of Watershed west of Rawley Springs—~~Hunting, fishing, etc., allowed; exception.~~

~~Except as provided in section 7-5-3, hunting, fishing and trapping on the lands owned by the city known as its watershed, located west of Rawley Springs, at Riven Rock, shall be allowed, except during such portions of the year as hunting, fishing and trapping are prohibited by the United States Government in the George Washington National Forest adjoining the watershed or by state law. The city hereby adopts and incorporates by reference the following regulations, as amended from time to time, with respect to the city-owned property which constitutes the watershed west of Rawley Springs and designated as Rockingham County Tax Map No. 58-A-1:~~

1. The regulations of the United States Department of Agriculture's Forest Service applicable to the George Washington and Jefferson National Forests; and,

2. The regulations of the Virginia Department of Wildlife Resources for hunting, fishing, trapping, and boating.

The Director of Public Utilities is authorized to create regulations in addition to those incorporated here by reference for any public property lying beyond the city boundaries, including prohibitions or restrictions on camping and campfires, provided the property is posted with notice to the public of such regulations.

It shall be unlawful for any person to violate the regulations adopted by or promulgated pursuant to this section.

SECTION 7-5-3 – RESERVED ~~Sec. 7-5-3. Same—Permit required for fishing.~~

~~Fishing in the ponds located on the lands owned by the city known as its watershed located west of Rawley Springs, at Riven Rock is permissible providing that such fishing shall not interfere with the operation of the water system near the intake, nor be a menace to public health, and providing that a permit to so fish shall have first been obtained from the city manager. The city manager is authorized to issue such permits, if in his judgment it is advisable so to do, and providing that fishing at that time is not prohibited by the United States Government in its George Washington National Forest, adjoining the watershed or by state law.~~

SECTION 7-5-4 - RESERVED ~~Sec. 7-5-4. Camping on city owned watershed west of Riven Rock Park prohibited.~~

~~Camping in any manner or form, swimming, and fires of any kind owned by the city constituting any part of the watershed, above the intake, west of Riven Rock Park, in the county, are hereby expressly prohibited.~~

This ordinance shall be effective from the ____ day of _____, 2024. Adopted and approved this ____ day of _____, 2024.

MAYOR

ATTESTE:

CITY CLERK