

Chapter 36

WATER¹

- Art. I. In General, §§ 36-1 -- 36-15**
- Art. II. Service By Companies, §§ 36-16 -- 36-45**
- Art. III. Wells, §§ 36-46 -- 36-50**

ARTICLE I. IN GENERAL

Secs. 36-1 -- 36-15. Reserved.

ARTICLE II. SERVICE BY COMPANIES²

Sec. 36-16. Company to lay service pipe, make connections at own expense.

Any water company doing business in the city shall, at its own expense, make the connections and furnish and lay the pipes necessary to make service connections from its mains in any street or public place to the adjacent property line of the person to whom water is to be supplied; provided that, such company shall not be liable for the cost and laying of service pipe to be laid in excess seventy-five (75) feet from such main.

(Code 1986, § 36-16)

Sec. 36-17. Pipe specifications to be determined by company.

The type, material, size and location of service pipe to be laid or relaid shall be determined by the water company, subject to the decision of the department of public works, streets and airports if there is any disagreement between the water company and the property owner.

(Code 1986, § 36-17)

Sec. 36-18. Property owner to bear expense of service pipe laid after street paved.

¹ **Cross reference**--Businesses, trades and occupations generally, Ch. 11.

² **Cross references**--Air pollution, Ch. 4; health and sanitation, Ch. 20; plumbing, Ch. 27; sewers, mains and drainage, Ch. 31.

State law references--Authority regarding water systems, T.C.A. §7-35-101 et seq.

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If the city, through its department of public works, streets and airports, undertakes the permanent paving or reconstruction of any street, and a property owner, after having had reasonable notice of such intention on the part of the city, fails to have the water company install a service pipe, as provided in section 38-1 of this Code, either to vacant or improved property, and it subsequently becomes necessary for such owner to have such service pipe installed, the water company shall install such pipe, but shall have the right to collect from such owner in advance the reasonable cost of running such service pipe to the property line, and the owner shall have no of right to any refund from the water company for such expenditure.

(Code 1986, § 36-18)

Sec. 36-19. Laying service pipe without contract for water consumption.

If a property owner requests a water company to lay a service pipe to the property line of a lot where no satisfactory contract has been entered into for the commencement of consumption of water within a period of ninety (90) days from such request, the water company may collect in advance from such owner the actual expense to be incurred in complying with his request. The amount so collected shall be refunded to the property owner by the water company when an amount of water has been consumed on the premises served, the cost of which, at legal rates, is equal to the expenditure made by the company.

(Code 1986, § 36-19)

Sec. 36-20. Property owner to provide and maintain stopcock and stop box.

The property owner shall install at his own expense just inside and as near to the property line as may be practicable a stopcock and, when pipe is underground, a stop box for his own use, and shall maintain the same in good working order, subject to inspection by the water company.

(Code 1986, § 36-20)

Sec. 36-21. Installations to conform to grade.

The department of public works, streets and airports shall, on application of any water company, furnish such information from the records in the city engineer's office relative to the lines and grades of sidewalks as will assist such company in properly placing the service pipes, meters, stopcocks and stop boxes in the lines thereof. The property owner shall keep the surface around stop boxes on a level with the same, so that they shall not become obstructions due to the wearing and washing away of such surface.

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(Code 1986, § 36-21)

Sec. 36-22. Care, maintenance of service pipes.

The water company shall be responsible for the care and maintenance of all service pipes in the city.

(Code 1986, § 36-22)

Sec. 36-23. When single service pipe to be employed.

Not more than one (1) service pipe for supplying water shall be laid by any water company or other person doing such work from a main to a building owned by one (1) person or by tenants in common.

(Code 1986, § 36-23)

Sec. 36-24. Rates and meter charges for service from single pipe.

It shall be unlawful for any water company in the city to charge or attempt to charge, or to collect or attempt to collect, any other or greater amount than the regular rate for water supplied through a single service pipe and a single meter to any one (1) house or any two (2) or more adjacent houses owned by the same person, where such houses were connected with such water mains or pipes by means of a single service pipe with the knowledge and consent of the company. A single regular minimum meter charge may be charged and collected for every month where the entire amount of water passing through any such service pipe and measured by such meter during such month shall be less than three thousand (3000) gallons.

(Code 1986, § 36-24)

Sec. 36-25. Additional pipes not be required.

It shall be unlawful for any water company in the city to enforce or attempt to enforce any rule requiring any owner, tenant or agent of the owner of any house or houses connected with water mains or pipes by a single service pipe as provided in the preceding section to make any other or additional connection with such water mains or pipes for the purpose of receiving a supply of water for any one (1) or more of such houses or for any part of any one (1) or more of such houses theretofore supplied with water through a single service pipe and meter; provided that, nothing in this section shall be construed to prevent any additional water service connections to any house or houses in the city which may be made by or with the voluntary consent of the owner of such house or houses.

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(Code 1986, § 36-25)

Sec. 36-26. Cash deposit in advance of service prohibited; advance payment on initial bill.

It shall be unlawful for any water company in the city to charge or require of persons desiring to become consumers of water through water mains or pipes cash deposits in advance of furnishing water; provided that, any water company may be permitted to charge for water proposed to be furnished to consumers one (1) quarter's rent in advance according to the minimum rate to consumers of water in the city. Where such payment is required, the money paid by the consumer shall be placed to his credit for water to be consumed during the quarter following payment of such deposit and credited on account of water actually consumed.

(Code 1986, § 36-26)

Sec. 36-27. Refusal to supply service.

It shall be unlawful for any water company in the city, or any officer or agent of such company, to refuse to turn on or supply water to any person occupying or intending to occupy, either as owner, lessee, tenant or subtenant, any premises in the city having water connections with the pipes or mains of such water company, when such occupant or intended occupant tenders to such company or its proper agent, for one (1) quarter in advance, the usual minimum price charged by such company for water for a like period; provided that, such service may be refused in any case where the person requesting it and tendering payment therefor justly owes and refuses to pay for water previously supplied to him by such company in the city; provided, further, that, no water meter shall be installed and no service shall be commenced to any premises where no service has previously been rendered until the plumbing inspector has inspected the plumbing system of the premises and has notified the water company of the approval of the system.

(Code 1986, § 36-27)

Sec. 36-28. No charged to be made for turning service on.

It shall be unlawful for any water company in the city to charge or require of consumers or prospective consumers desiring water service any fee for turning on the supply of water, whether such supply has been cut off for nonpayment of charges for water service or otherwise; provided that, consumers shall pay in full any charges in arrears due by them or tender the same in full in cash at the office of the water company before the water company may be required to turn on the supply of water.

(Code 1986, § 36-28)

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Sec. 36-29. Discontinuance of service.

In addition to any or all other grounds for discontinuance of service, a water company shall, upon its own initiative or at the direction of the chief plumbing inspector, discontinue service on reasonable notice, not to exceed twenty-four (24) hours, upon the following circumstances:

- (1) Violation by a consumer, property owner or occupant, of any code, law, rules or regulations, or ordinance of any government entity or of any rule or regulation of such water company relative to local codes, health violations, cross-connections or interconnections.
- (2) Knowledge by such water company that the health authority or plumbing inspectors have ordered a cross-connection or interconnection or other health or plumbing code violation discontinued or abated and that such order has not been complied with.

(Code 1986, § 36-29)

Secs. 36-30 -- 36-45. Reserved.

ARTICLE III. WELLS

Sec. 36-46. Report of location, samples to be furnished department of health.

The owner or person in control of any premises in the city on a well shall report to the department of health the location of any such well, and once during each calendar month thereafter shall furnish such department a sample of water from such well.

(Code 1986, § 36-46)

Sec. 36-47. Record required.

There shall be kept in the department of health a record showing the location of all wells reported.

(Code 1986, § 36-47)

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Sec. 36-48. Analysis of samples.

The health officer shall have all samples of water furnished him analyzed by a bacteriologist.
(Code 1986, § 36-48)

Sec. 36-49. Notice when sample found to be unhealthful.

If, upon analysis, any water is found to be infected or deleterious to health, or in such condition as to produce disease, the director shall at once notify the owner or person in control of the premises on which the well is located from which such water has come.
(Code 1986, § 36-49)

Sec. 36-50. When use to be discontinued.

Any person receiving notice from the director of health, as provided in section 36-49, shall immediately cease to use water from the well in question for drinking purposes, and shall, within ten (10) days thereafter, cause such well to be filled or stopped up so that water from it can be used only for other purposes than drinking.
(Code 1986, § 36-50)