



MINERAL PLANNING COMMISSION MEETING AGENDA

August 22, 2024 at 6:30 PM

312 Mineral Avenue Mineral Virginia 23117

Phone: 540-894-5100 | townclerk@townofmineral.net

A. CALL TO ORDER

B. ROLL CALL

1. Introduction of the Newly Appointed Planning Commissioners

1- Nikki Dye

2- Teresa Newton

C. PLEDGE OF ALLEGIANCE

D. ADOPT/AMEND AGENDA

PUBLIC COMMENT

E. OLD BUSINESS

1. Chairman Kube - Update status on Mineral Town Council actions regarding Mineral Planning Commission Zoning Amendments Recommendations

F. NEW BUSINESS

1. Election of Mineral Planning Commission Vice Chairman

2. Proposed Town Code Amendments

1- Chapter 355 - Sewer and Sewage Disposal

2- Chapter 375 - Streets and Sidewalks

3- Chapter 166 - Cemeteries

G. REPORTS

1. Zoning Administrator

2. Commissioners' Comments

H. CLOSED SESSION (As Necessary)

I. ADJOURN

Commission Members: Edward Kube - Chairman, Nikki Dye, Lauren Ball, Teresa Newton, Lisa Wade, Tony Williams; Council Liaison - Dave Hempstead

Town of Mineral, VA
Thursday, August 15, 2024

Chapter 166. Cemeteries

[HISTORY: Adopted by the Town Council of the Town of Mineral 7-10-2006 by Ord. No. 2006-04 (Ch. 6 of the 1982 Code). Amendments noted where applicable.]

§ 166-1. Where burial permitted.

It shall be unlawful for any person to bury the remains of any person within the corporate limits of the Town except in a duly established cemetery or other burial ground.

[1] *Editor's Note: For state law provisions see §§ 15.2-1121 and 57-22 et seq., Code of Virginia.*

§ 166-2. Spring Grove Memorial Cemetery Park.

The Town of Mineral owns and operates a cemetery outside the Town limits known as the "Spring Grove Memorial Cemetery Park." The Mayor or his designee is responsible for the operation thereof, including the sale of lots and the administration of the perpetual care fund associated therewith.

§ 166-3. Removal of trees or plantings from cemetery.

It shall be unlawful for any person to sell or offer for sale or to remove or attempt to remove any sound or living trees or plantings used to beautify the Town cemetery from a cemetery lot unless the removal of such trees or plantings shall be deemed necessary to open a grave site. However, the Town Council may authorize the sale, cutting and disposition of any trees, timber, or other growing products from the cemetery.

[1] *Editor's Note: Additional criminal penalties for trespassing at night in a cemetery and for vandalism to cemeteries and burial grounds are found in §§ 18.2-125 and 18.2-127, Code of Virginia, respectively. See also § 310-29C of this Code with respect to trespassing at night upon any cemetery.*

§ 166-4. Rules and regulations; violations and penalties.

The Cemetery Committee of the Town Council shall have the power to establish and promulgate rules and regulations not in conflict with the provisions of this Code or other ordinances of the Town relative to the cemetery. Such rules and regulations shall be subject to the approval of the Town Council. It shall be unlawful for any person to fail, neglect or refuse to comply with such rules and regulations so established, promulgated and approved. Any person convicted of a violation of this section shall be subject to a civil penalty of \$100.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

Chapter 355. Sewers and Sewage Disposal

[HISTORY: Adopted by the Town Council of the Town of Mineral effective 1-1-1982 as Ch. 20, Arts. III and IV of the 1982 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. **375**
Subdivision of land — See Ch. **380**. Water
— See Ch. **418**.

Article I. General Provisions

[1] *Editor's Note: For state law provisions related to public utilities, see § 15.2-2109 et seq., Code of Virginia. As to sewage disposal systems generally, see § 15.2-2122 et seq., Code of Virginia, and as to health regulations related to sewage disposal, see § 32.1-163.1 et seq., Code of Virginia.*

§ 355-1. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows. "Shall" is mandatory; "may" is permissive.

BOD (denoting biochemical oxygen demand)

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in parts per million by weight.

BUILDING DRAIN

That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING SEWER

The extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER

A sewer receiving both surface runoff and sewage.

GARBAGE

Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

INDUSTRIAL WASTES

The liquid wastes from industrial processes as distinct from sanitary sewage.

NATURAL OUTLET

Any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

PERSON

Any individual, firm, company, association, society, corporation or group.

pH

The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDED GARBAGE

The wastes from the preparation, cooking and dispensing of food that have been shredded to such 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.

PUBLIC SEWER

A sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.

SANITARY SEWER

A sewer which carries sewage and to which stormwater, surface water and groundwater are not intentionally admitted.

SEWAGE

A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

SEWAGE TREATMENT PLANT

Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS

All facilities for collecting, pumping, treating and disposing of sewage.

SEWER

A pipe or conduit for carrying sewage.

STORM SEWER or STORM DRAIN

A sewer which carries stormwater and surface water and drainage but excludes sewage and polluted industrial wastes.

SUPERINTENDENT

The Town Manager.^[1]

SUSPENDED SOLIDS

Solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable therefrom by laboratory filtering.

WATERCOURSE

A channel in which a flow of water occurs, either continuously or intermittently.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 355-2. Damaging or tampering with sewage works.

It shall be unlawful for any person to maliciously or wilfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage works.

§ 355-3. Right of entry.

The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter upon any properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter.

§ 355-4. Notice of violation.

Any person found to be violating any provisions of this chapter, except § **355-2**, shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

§ 355-5. Violations and penalties.

Any person served with a notice as provided in § **355-4** who shall continue the violation in question beyond the time limit provided for in such notice, as provided in § **355-4**, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a penalty as provided in § **1-3** of this Code. Each day in which any such violation shall continue shall be deemed a separate offense.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 355-6. Liability for damages.

In addition to the penalty provided in § **355-5**:

- A. Every user of the Town's sewerage system shall be civilly liable in damages to the Town for any injuries to the Town's sewerage system, or for any injuries to third persons for which the Town is liable, caused by or resulting from a violation of any of the provisions of this chapter.
- B. Every user of the Town's sewerage system shall be civilly liable in damages to the Town for any injuries to the Town's sewerage system, or any injuries to third persons for which the Town is liable, caused by or resulting from such user discharging into the Town's sewerage system sewage or waste of a nature or in quantities prohibited by the statutes of the state, or prohibited by the State Water Control Board, or prohibited by the State Health Department or any subdivision thereof, or prohibited by any other state agency.
- C. Every user of the Town's sewerage system shall be liable as hereinabove provided in Subsections **A** and **B** herein if any such damage as therein provided is caused by such user, any member or guest of his household, or by any of his agents, servants or employees.

§ 355-7. Unlawful deposits.

It shall be unlawful for any person to place or deposit, or permit to be placed or deposited, in an insanitary manner, upon public or private property within the Town or in any area under the jurisdiction of the Town, any human or animal excrement, garbage or other objectionable waste.

- A. Unlawful to excrete urine or feces in public. No person shall excrete urine or feces upon the floor, stairway or any other part of any public building, public conveyance, sidewalk, street, alley or lane of the Town, or on any private property where any such conduct can be viewed or seen by any other person.

[Added 11-9-1992]

- B. Urine or feces must be excreted in toilets. No person shall excrete urine or feces in any place or on any premises, private or public, in the Town other than a properly maintained toilet, rest room or temporary toilet facility that is approved by the Health Department of the Commonwealth of Virginia for such use.
[Added 11-9-1992]
- C. Unlawful to permit animals to excrete urine or feces on public property or streets. No person shall knowingly permit any animal to excrete urine or feces upon the floor, stairway or any part of any

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public building or place, upon the floor or any part of any public conveyance, or upon any sidewalk, street, alley or lane of the Town. Any excretion of feces on public property must be cleaned immediately by the owner. No person shall knowingly permit any animal to excrete urine or feces on private property other than on open ground, and all feces must be cleaned immediately by the animal owner.

[Added 11-9-1992; amended 11-13-2012 by Ord. No. 2012-03]

§ 355-8. Unlawful discharges to natural outlet.

It shall be unlawful for any person to discharge to any natural outlet within the Town or in any area under the jurisdiction of the Town any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

§ 355-9. Construction of privies and septic tanks.

Except as provided in the subsequent provisions of this chapter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

§ 355-10. Mandatory connection to public sewer.

The owner of any house building or property used for human occupancy, employment, recreation or other purpose situated within the Town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Town shall, at his own expense, install suitable toilet and plumbing facilities therein and connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, provided that such public sewer is within 100 feet of the property line.

Article II. Private Sewage Disposal Facilities

§ 355-11. Approval required.

It shall be unlawful for any person to begin construction of a building for human occupancy, employment or recreation within the Town without making application and receiving approval by the Superintendent for a private sewage disposal system, as provided in this article; provided, however, that this section shall be construed to apply only where a public sanitary or combined sewer is not available.

§ 355-12. Use of private system when public sewer is not available.

Where a public sanitary or combined sewer is not available under the provisions of § **355-10**, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

§ 355-13. Permit required.

Before commencement of construction of a private sewage disposal system, the owner of the premises in question shall first obtain a written permit therefor, signed by the Superintendent.

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§ 355-14. Application for permit.

The application for a permit, as required in § **355-13**, shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the Superintendent.

§ 355-15. Permit and inspection fee.

[Amended 1-12-2009 by Ord. No. 2009-01]

A permit and inspection fee as set by the Town Council shall be paid to the Town Treasurer at the time the application referred to in § **355-14** is filed.

§ 355-16. Permit conditioned on approval by Superintendent.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent.

§ 355-17. Inspection.

The Superintendent shall be allowed to inspect the work at any stage of construction of the private sewage disposal system, and in any event the applicant for the permit, as provided for in § **355-13**, shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by such Superintendent.

§ 355-18. Type, capacity, location and layout of system.

The type, capacity, location and layout of a private sewage disposal system shall comply with all recommendations and requirements of the Louisa County Health Department.

§ 355-19. Lot area requirement.

No permit as provided in § **355-13** shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than the area required by the Town

Zoning Ordinance.^[1]

[1] *Editor's Note: See Ch. 425, Zoning.*

§ 355-20. Connection to public sewer; abandonment of private system.

At such time as a public sewer become available to a property served by a private sewage disposal system, as provided in § 355-10, a direct connection shall be made to the public sewer in compliance with this chapter within 90 days after date of official notice by the Town to do so. If the private sewage disposal system in question is not working properly and if it does not meet with all the requirements of the Louisa County Health Department, when connection has been made with the public sewer, the private septic tank, cesspool or private sewage disposal facilities shall be abandoned.

§ 355-21. Discharge into public sewer or natural outlet.

No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

§ 355-22. Duty of owner.

The owner of the premises in question shall operate and maintain such private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.

§ 355-23. Additional requirements.

No provision contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

Article III. Public Sewage Disposal Facilities

§ 355-24. Permit required for connection to public sewer.

A connection shall not be made to any public sewer or appurtenance thereof except by permit to be issued by the Superintendent or some other authorized agent of the Town and shall not be made except in accordance with the specifications of this chapter or other ordinances of the Town and shall not be made until a connection fee, as established by the Town Council, has been paid.

§ 355-25. Application for permit.

Application for permission to connect with any public sewer shall be in writing and shall be made by the owner of the property which is desired to be connected with such sewer or by his duly authorized agent. Such application shall be addressed to the Superintendent and be made at least three days before the commencement of the work. Such application shall give the exact location of the property, the name of

the owner, and the name of the person by whom the work is to be done and shall show the exact proposed location of the building sewer on the property.

§ 355-26. Duty of Superintendent upon receipt of application.

It shall be the duty of the Superintendent to give prompt attention upon receiving any application as hereinbefore specified. Within three days after its receipt, he shall either issue a permit to commence the work as herein specified or reject such application, notifying the applicant in writing of the objections, and when all requirements of this chapter have been complied with a permit shall be issued authorizing the construction of such building drain and building sewer. Should the Superintendent refuse to grant a permit, the applicant may appeal the matter to the Town Council, whose decision in the matter shall be final.

§ 355-27. Injury to sewers or public ways.

No person, while engaged in the construction of a building sewer or otherwise, shall injure, break or move any portion of any public sewer or appurtenance thereof or do any injury to streets or sidewalks. No penalty fixed by the ordinances or Code of the Town shall prevent the Town or any property owner from recovering any damages sustained by reason of such injury by appropriate civil action or otherwise.

§ 355-28. Requests for inspection.

Notice shall be given to the Superintendent when the work is sufficiently advanced for such purpose, and it shall be the duty of the Superintendent, within 24 hours after such notice, to inspect such work, and in case any change therein shall be found necessary, the Superintendent shall direct in writing that the change be made.

§ 355-29. Sewerage and plumbing not to be covered until inspected.

No drainage, sewerage or plumbing shall be covered or concealed in any way until it has been examined and approved by the Superintendent. The Superintendent shall have the right to enter any building under construction for the purpose of making the proper inspection hereunder.

§ 355-30. Supervision of connection of building sewer to public sewer.

The connection of a building sewer to the public sewer shall be made under the supervision of the Superintendent.

§ 355-31. Responsibility for costs.

[Amended 11-13-2012 by Ord. No. 2012-03]

The owner of the property in question shall bear all costs and expenses incidental to the installation, connection and maintenance of the building sewer on his property. The Superintendent or other authorized Town agents are permitted to periodically inspect both the public sewer and building sewers for maintenance concerns. Property owners will be notified of any maintenance issues with the building sewer and will have 90 days to repair the building sewer line. Appeals to this requirement can be made to the Sewer Committee of the Town Council.

§ 355-32. Separate building sewer required for every building.

A separate and independent building sewer shall be provided for every building; provided, however, that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

§ 355-33. Use of old building sewers in connection with new buildings.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter.

§ 355-34. Specifications and requirements as to building sewers.

All building sewers shall be constructed strictly in accordance with the facts stated in the application and the provisions of the Uniform Statewide Building Code, provided that a permit to do the work has been

issued by the Superintendent, and no plumbing or building sewer shall be commenced without such permit having been previously obtained.

§ 355-35. Discharge where building drain is too low for gravity flow.

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

§ 355-36. Barricades and lights for excavations; restoration of property.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Superintendent.

Article IV. Discharge into Public Sewer System

§ 355-37. Discharge to sanitary sewer restricted.

[Amended 11-13-2012 by Ord. No. 2012-03]

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or industrial process waters to any sanitary sewer. Likewise, no person shall make any connection of roof spouts, foundation drains, areaway drains, sump pumps or other sources of surface water in any manner to the sewage system of the Town.

§ 355-38. Discharge of certain waters and wastes to sanitary sewer.

Except as hereinafter provided, no person shall discharge or cause to be discharged to any public sewer any of the following described waters or substances:

- A. Any liquid or vapor having a temperature higher than 150° F.
- B. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease; provided, however, that hotels, hospitals, restaurants, and other institutions or commercial establishments designated by the Superintendent may discharge such water or waste into the public sewer, provided that the establishment or institution in question has a grease trap approved by the Superintendent.
- C. Any water or waste from auto wash racks and gasoline waste and waste motor oil.
- D. Any benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- E. Any waters or wastes containing solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works, such as, but not limited to, ash, cinders, sand, mud, straw, shavings, metal, glass, rags, lint,

feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- F. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to the structures, equipment and personnel of the sewage works.
- G. Any water or wastes containing a toxic or poisonous substance in sufficient quantity, either singly or by interaction with other waste, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment plant.
- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant. I. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- J. Any waters or wastes containing strong acids.
- K. Any waters or wastes having colors in such concentrations as to affect the operations of the sewage treatment plant or, after treatment in the municipal waste treatment facilities, to create a nuisance or interfere directly or indirectly with specified uses of state waters.
- L. Any waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

§ 355-39. Grease, oil and sand interceptors.

- A. Generally. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; provided, however, that such interceptors shall not be required for private living quarters or dwelling units. All such interceptors shall be of a type and capacity approved by such Superintendent and shall be so located as to be readily and easily accessible for cleaning and inspection.
- B. Maintenance by owner. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

§ 355-40. Review and approval of certain waters and wastes; preliminary treatment facilities.

- A. The admission into the public sewers of the waters or wastes enumerated in this section shall be subject to the review and approval of the Superintendent:
- (1) Any water or waste having a five-day BOD greater than 300 parts per million by weight.
 - (2) Any water or waste containing more than 350 parts per million by weight of suspended solids.
 - (3) Any water or waste containing any quantity of substances having the characteristics described in § 355-38.
 - (4) Any water or waste having an average daily flow greater than 2% of the average daily sewage flow of the Town.

- B. Where necessary in the opinion of such Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:
- (1) Reduce the BOD to 300 parts per million and the suspended solids to 350 parts per million by weight.
 - (2) Reduce objectionable characteristics or constituents to within the maximum limits provided for in § **355-38**.

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- (3) Control the quantities and rates of discharge of such waters or wastes.
- C. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of such Superintendent and of the Water Control Board of the state, and no construction of such facilities shall be commenced until said approvals are obtained in writing.^[1]
- (1) *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 355-41. Maintenance of preliminary treatment facilities.

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

§ 355-42. Control manhole.

When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by such Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

§ 355-43. Measurements, tests and analyses.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in §§ **355-38** and **355-40** shall be determined in accordance with Standard Methods for the Examination of Water and Waste Water and shall be determined at the control manhole provided for in § **355-42** or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

§ 355-44. Special agreements for industrial wastes of unusual strength or character.

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefor by the industrial concern.

§ 355-45. Stoppage of sewer pipes.

In case of any stoppage in the public sewers, the Town shall remove the same. If the obstruction is in a branch or building sewer or drain, the owner of the property to which it connects shall remove such obstruction.

Article V. Sewer Charges

§ 355-46. Fee for connection to public sewer.

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The Town Council shall, from time to time, fix connection fees for making connections to the public sewer of the Town. A copy of a schedule of such fees shall be maintained on file in the office of the Town Clerk, and such fee shall be payable before such connection is made.

§ 355-47. Connections requiring extension of public sewer within Town.

Should application be made for a connection to property in the Town where there is no public sewer in an adjoining street or right-of-way, such application shall not be acted on by the Superintendent but shall be postponed until the next meeting of the Town Council, which shall determine whether such public sewer should be constructed and the amount to be charged to the applicant for such construction, provided that such charges shall be in addition to the tapping charge and user charge provided for herein.

§ 355-48. Connections requiring extension of public sewer beyond Town limits.

Each application for sewer service outside the corporate limits which involves the construction of a public sewer or involves the construction of a lateral of such length or in such a location that there is a possibility of future connections to such lateral shall be referred by the Superintendent to the Town Council, which shall consider the project and determine whether such project should be undertaken and shall determine the cost to be charged to the applicant for such project, provided that such charges shall be in addition to the tapping fee and the user charge provided for herein, and provided further that no such extensions to the Town sewer system outside of the Town limits shall be undertaken until the statutory notice has been given to the appropriate governing body of the county in which the extension is contemplated.

§ 355-49. Charges and billings.

Every person whose property shall be connected to the public sewer system of the Town, whether in or outside of the corporate limits, shall, for each such connection, pay to the Town a charge at a rate to be established from time to time by the Town Council for such connection, to be measured by the consumption of water at such property. Such charge shall be a percentage of the water bill charged each property each month, to be included in the water billing and to be collected as water accounts due the Town. However, nothing in this section shall be construed to abridge or deny the right of the Town Council to alter or raise these rates, and when, in the opinion of the Town Council, the water consumption at a property does not adequately represent the use being made of the Town sewage facilities, the Council may establish such rate as it sees fit. In case there is no water service to property to be served by the

Town sewage facilities, the sewer charge against such property shall be as established by the Town Council.

§ 355-50. Statements generally.

All statements for Town sewer service shall be computed by the Town Treasurer on the basis of the rates set out in this article and shall be on a monthly basis. Such statements shall be rendered to the family, property owner, occupant or user as soon as practicable after monthly readings. This statement shall be considered the correct assessment unless a correction is requested of the Town Treasurer within 10 days after the statement is sent out.

§ 355-51. Complaints as to charges.

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Any user of sewer service having a complaint in connection with the assessment of charges under this article shall report the same to the Town Treasurer, as provided in § 355-50, who shall adjust the same or refer the complaint to the Town Council.

§ 355-52. Effect of failure to pay bill by certain date.

In the event that a person whose duty it is to pay a statement for Town sewer service, rendered as provided in § 355-50, by such date as may be established by the Town Treasurer with the approval of the Town Council shall fail to do so, the Town Treasurer may cause the water to the premises in question to be turned off.

Article VI. Delinquent Charges

§ 355-53. Delinquent sewer charges to be lien against property.

All charges for services or fees under this chapter for sewer services or fees which remain unpaid and delinquent for as much as 60 days from the due date shall be a lien against the real estate of any owner to whom such services were supplied, and if the party owing such charges that are delinquent as herein stated is a tenant and not an owner of such real estate, then such indebtedness shall be a lien against any personal property of the tenant located within the limits of the Town. If any such delinquent charges are due at the time taxes are billed to any such party, such delinquent charges shall be placed on the tax bill of such owner or tenant and collected as taxes are collected.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

Chapter 375. Streets and Sidewalks

[HISTORY: Adopted by the Town Council of the Town of Mineral effective 1-1-1982 as Ch. 16 of the 1982 Code. Amendments noted where applicable.]

Article I. General Provisions

[1] *Editor's Note: For state law as to power of Town to lay out streets, walks or alleys, alter, improve and light the same and have them kept in good order, see § 15.2-2000 et seq., Code of Virginia. As to alteration and vacation of streets generally, see § 15.2-2006, Code of Virginia. As to use of streets by public utilities without previous consent of corporate authorities, see § 15.2-2017, Code of Virginia. As to authority of Town to permit awnings, fire escapes, etc., to overhang streets, see § 15.2-2010, Code of Virginia.*

§ 375-1. Construction, care and maintenance of streets.

[Amended 11-14-2006 by Ord. No. 2006-07; 10-22-2007 by Ord. No. 2007-04]

- A. No undeveloped street shall be utilized for access to new residences or businesses unless such street is constructed as provided in this section and is dedicated by the recording in the office of the Clerk of the Circuit Court of Louisa County of a plat drawn to scale showing such street. Such plat shall be prepared and recorded at the expense of the owner of the property to be developed and shall be approved by the Town Council prior to recordation.
- B. Before new streets will be accepted by the Town for utilization, such streets must meet the current requirements of the Virginia Department of Transportation for subdivision roads. In addition, the street must be built for the complete length of the lot involved, unless the lot borders the edge of Town, in which case the street shall be constructed to the point where the driveway meets the street.
- C. Lots on undeveloped streets may not access developed streets via rights-of-way, easements or alleys. Only streets designated on the Town of Mineral map prepared by W.L. Bishop in 1890 may be used unless the Town Council approves realignment for the purpose of best suiting the topography. If such realignment is approved, the developer must own the property where the realignment is to take place, and the developer must provide to the owner of the original opposite street side property full access to the realigned street over the property created between the former street and the realigned street.

§ 375-2. Specifications for work on streets by Town forces.

The Mayor shall have authority to prescribe regulations for work done on Town streets by Town forces.

§ 375-3. Construction costs for new private entrance.

The property owner shall bear the construction costs for a new private entrance, where curbs or walks are cut or installed, culverts installed or bridging necessitated.

§ 375-4. Projections into or upon sidewalk.

It shall be unlawful for any person to construct or place, or cause to be constructed or placed, any portico, porch, door or step which shall project into or upon any sidewalk or paved walkway along any street in the Town.

§ 375-5. Removal of encroaching buildings.

In every case of encroachment upon a street by a building, fence or other structure, the owner or maintainer thereof may be required to remove the same. For failure to make the removal within the time ordered by the Town Council, the owner or maintainer of such building, fence or other structure shall be guilty of a misdemeanor, and, upon such failure, the Town Council may require such encroachment to be removed at the risk and cost of the person owning or maintaining the same.

§ 375-6. Gates and doors upon sidewalks to open inward.

Every gate or door built or constructed in any fence, garden or yard wall upon or within two feet of the line of any public sidewalk on any street in the Town shall be hung so as to open inward.

§ 375-7. Open cellarways to be guarded.

It shall be unlawful for any person to allow any cellarway, areaway or other place of like character opening on or in a public sidewalk in the Town to remain open unless properly guarded by bars or otherwise.

§ 375-8. Obstruction of sidewalks.

It shall be unlawful for any person to place or permit to remain upon the streets, alleys or sidewalks adjoining his premises any boxes, crates or other things that will cause the streets, alleys or sidewalks to be obstructed.

§ 375-9. Operation of loudspeakers and similar devices.

It shall be unlawful for any person to operate any loudspeaker or similar device on any street, sidewalk or alley of the Town, whether such loudspeaker or similar device is attached to an automobile or other vehicle or not.

§ 375-10. Loitering.

- A. No person or aggregation of persons shall assemble so as to obstruct the public streets, sidewalks, alleys, public places and public buildings, places of amusement and entertainment, vacant lots and any other public grounds or privately owned property open to the public in the Town or sit, stand or lounge in or around the aforementioned places or in the entranceways of churches, private homes or places of business so as to annoy the owners or occupants or interfere with the use of the building or to cause the annoyance or disturbance of the citizens of the Town or any other person rightfully within the confines of the Town.

- B. Persons loitering, sitting or standing on any street, sidewalk and aforementioned places shall move on or separate when required to do so by any authorized law enforcement officer and shall cease to occupy such position.

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§ 375-11. Assemblages of persons blocking free passage of street or sidewalk.

The assemblage or congregation of persons on the streets or sidewalks in such manner as to block or obstruct free passage thereof is prohibited. It shall be the duty of the Town Sergeant or any police officer to disperse any such assemblage or congregation. Persons refusing to disperse after being directed to do so by the police shall be guilty of a misdemeanor.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 375-12. Deposit of lumber, wood, stone or other obstruction.

It shall be unlawful for any person to throw, place, drop or cause to be put any lumber, wood, stone or other obstruction into or upon any street or public place in the Town. This section shall not be construed to apply to building material placed on the street, sidewalk or alley pursuant to § 375-13.

§ 375-13. Placing building materials upon street, alley or sidewalk.

No person shall place building materials upon the street, sidewalk or alley for use in connection with construction work unless he shall have first obtained a permit from the Mayor to do so and unless he shall place such materials in the space assigned and in the manner directed by the Mayor.

§ 375-14. Use of sidewalks during construction, repair or demolition work.

When any building or wall is being erected, repaired or demolished, the sidewalks in front thereof may be occupied and used by the contractor or builder in connection with such work for such period of time as may be reasonable, provided that reasonable means shall be taken for the protection and safe passage of pedestrians and vehicular traffic.

§ 375-15. Trees, plants and shrubs projecting over streets or sidewalks.

It shall be unlawful for any person owning or occupying property abutting a street or sidewalk to allow any trees, plants or shrubs growing on such property to project over the street or sidewalk in such manner as to obstruct or interfere with the safe passage of vehicles or pedestrians.

§ 375-16. Signs, awnings and goods above street or sidewalk.

- A. It shall be unlawful for any person to place or allow to remain any sign, awning, goods or any other thing over any street or sidewalk unless the same shall be at least eight feet above such street or sidewalk.
- B. No sign, awning, goods, wares or merchandise or any other thing shall be placed or allowed to remain above any street or sidewalk unless pursuant to permission of, and according to directions of, the Mayor.
- C. For the purpose of this section, the word "sidewalk" means not only any sidewalk or ground belonging to the Town but also any ground belonging to private parties which is alongside the sidewalk belonging to the Town, is not more than three feet therefrom and is not enclosed.

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§ 375-17. Signs and awnings to be secured.

Any sign or awning projecting over the sidewalk or street shall be adequately secured and shall be in a safe condition.

§ 375-18. Use of bicycles and play vehicles on sidewalks or public areas.

[Added 11-9-1987]

- A. No person shall use on a sidewalk or any other public area within the Town of Mineral any bicycles, skates, toys or other devices on wheels or runners, other than in an area that has been specifically designated and marked off by the Town for such purposes, and other than baby carriages, strollers or other devices in which children not exceeding the age of five years are riding or using. This section shall not apply to any such device or vehicle that is authorized to be used on the public highways of Virginia, while such vehicle is lawfully using such public highway and while such device or vehicle is crossing such sidewalks in traveling from such highway to areas where any such device or vehicle is permitted to be lawfully operated.
- B. No person shall use any such device or vehicle on private property without the express consent of the owner or tenant of such property, except, if any such device or vehicle is used solely for transportation to reach such private premises, then, unless prohibited by the owner or tenant of such private property, such vehicle may be operated from the public highway to such private premises for the sole purpose of transportation from the public highway to such private premises.

Article II. Excavations

§ 375-19. Unauthorized tearing up or digging in streets and sidewalks.

No person, unless specifically authorized by the Town Council or the Mayor, shall tear up, dig in or in any way deface or injure any street or sidewalk.

§ 375-20. Disturbing street or sidewalk in connection with water supply or sewer system.

Whenever it may be necessary to disturb any street or sidewalk in connection with the water supply or sewer system of the Town, the work shall be done under the direction and control of the Mayor.

[1] *Editor's Note: See also Ch. 355, Sewers and Sewage Disposal, and Ch. 418, Water.*

§ 375-21. Permit required.

No person, unless specially authorized by the Town Council, shall take up or remove any portion of the surface of the sidewalk or street, or excavate in any public street of the Town without a written permit

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from the Mayor, who shall not refuse such permit to any applicant except for cause, but in case of refusal the applicant may appeal to the Town Council.

§ 375-22. Deposit; assent to provisions and terms.

- A. Before a permit required by § 375-21 is granted, the Mayor may require a deposit sufficient to pay for resurfacing the street to be disturbed, the amount of such deposit to be determined by the Mayor.
- B. Every person who shall make application for such a permit shall be deemed to have assented thereby to all the provisions and terms of this article, including the right of the Town to collect the actual cost of replacing the pavement, sidewalk or street surface in the manner above directed.

§ 375-23. Duty to prosecute work without delay.

It shall be the duty of every person to whom a permit has been granted pursuant to § 375-21 to institute at once and prosecute without delay the work for which such permit was obtained and promptly, on its completion, give written notice thereof to the Mayor.

§ 375-24. Replacing surface.

No pavement, sidewalk or street surface shall be replaced, after being taken up pursuant to a permit issued under § 375-21, by any person except under the direction of the Mayor. If the applicant fails to resurface the street disturbed promptly and in a manner approved by the Mayor, the Mayor is authorized to cause such work to be done at the expense of the applicant.

§ 375-25. Guarding by lights and barriers; responsibility for damages.

Any person to whom a permit is granted pursuant to § 375-21 shall place guards or barriers around the excavation in question and shall protect it by warning lights at night and shall be responsible for damages to persons or property caused by such excavations until taken in charge by the Mayor.

§ 375-26. Work done by Town.

The provisions of this article shall not apply to work done by Town forces under the supervision of the Mayor.

Chapter 418. Water

[HISTORY: Adopted by the Town Council of the Town of Mineral effective 1-1-1982 as Ch. 20, Arts. I, II and IV of the 1982 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 375

Sewers — See Ch. 355.

Subdivision of land — See Ch. 380.

Article I. Water Supply System Generally

[1] *Editor's Note: For state law as to water supply systems generally, see Title 15.2, Ch. 21, Code of Virginia. As to power of Town Council with respect to utilities, see § 15.2-2109, Code of Virginia. For the State Water Control Law, see § 62.1-44.2 et seq., Code of Virginia. As to conservation of water resources, see § 62.1-44.36 et seq., Code of Virginia.*

§ 418-1. Duties of Town Manager.

The Town Manager shall have supervision over the water system and all pipes, plugs and other properties in any way connected therewith. The Town Manager shall keep all parts of the machinery and equipment in connection with the water system in good order and repair. He shall keep a map showing the location of the main pipes and length and size of each of them. When there is an extension of any main pipe, he shall mark on the map the place of the extension, size of pipe used and other related information and shall keep an account of the cost of material and labor used in making such extension. He shall keep a record of all branch pipes, hydrants and other connections with the water system.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-2. Water supply for premises intended for human occupancy.

All premises intended for human habitation or occupancy shall be provided with a supply of pure and wholesome water, neither connected with unsafe water supplied nor cross-connected through plumbing fixtures to the drainage system.

§ 418-3. Application for introduction of water to premises in Town.

Whenever any person owning property in the Town along the line of any water main shall desire the introduction of water into such premises, he shall make written application therefor to the Town Treasurer. Such application shall set forth the name of the applicant, the location of the property into which the water is to be introduced, the purposes for which the water is to be used and the name of the plumber who is to do the work incident to the introduction of water into the premises. Such application shall also contain a provision which, upon acceptance of the application by the Town Treasurer and subsequent connection of the service pipe with the main, will obligate the owner of the premises to pay for all water furnished pursuant to such application until the filing with the Town Clerk of a written

request for discontinuance of service. The Town Treasurer shall not cause water to be furnished at any water connection until the owner of the premises has agreed to pay for all water furnished.

§ 418-4. Supplying water outside of Town.

No water shall be supplied by the Town to any person outside of the Town, except upon express permission granted by the Town Council.

§ 418-5. Meter deposit required of applicants.

Any person applying for Town water service for property in the Town shall make a meter deposit of double the minimum charge for the billing period.

§ 418-6. How water introduced into premises.

- A. No water shall be introduced into any premises outside of the Town except under the supervision of the Town Manager.
- B. Water shall be introduced into premises within the Town only by or under the supervision of the Town Manager.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-7. Water connection fees for property in Town.

- A. Where, within the Town, an existing water main lies adjacent to the property to be connected thereto, the connection fee for the connection of such property to the main shall be at the rate established by the Council, to be shown on a schedule maintained in the office of the Clerk, with the rate established to be for a meter up to and including 3/4 of an inch in size and thereafter to be increased by the difference in the cost of the meter for a larger meter in size than 3/4 of an inch.
- B. When it is necessary to secure a highway permit, the person desiring the connection shall also pay the cost thereof.

§ 418-8. Water connection fees for property outside Town.

- A. Where, outside the Town, water from the Town is available from existing waterlines, the connection fee for connection of such property to the Town line shall be at the rate established by the Council, to be shown on a schedule maintained in the office of the Clerk, with the rate established to be for a meter up to and including 3/4 of an inch in size and thereafter to be increased by the difference in the cost of the meter for a larger meter in size than 3/4 of an inch. However, the party applying for such water connection shall be responsible for all labor, materials and expense in installing such waterline, except for the actual installation of the meter.
- B. Where it is necessary to secure a highway permit, the person desiring the connection shall also pay the cost thereof.

§ 418-9. Connection of sprinkler or fire protection system.

Any other provision of this article to the contrary notwithstanding, any person making a connection to a Town water main for a sprinkler system or other fire protection system shall pay the entire cost of the service main, valves, meters and meter vault.

§ 418-10. Restoration of service after termination for nonpayment.

Where the water has been turned off for nonpayment of a bill by the person responsible therefor or for any other valid reason, it shall not be turned on again until the charges or tariff fixed in this chapter for the use of water and a reconnection fee as set by the Town Council shall have been paid and the requisite deposit made, if no such deposit has previously been made.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-11. Charge for turning off water at request of customer.

A charge as set by the Town Council shall be made for having water service to particular premises turned off at the request of a water service customer.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-12. How cutoffs made.

Water cutoffs shall be made by the Town Manager.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-13. Check valves and cutoff valves required.

Each person whose property is connected to the Town water system shall provide a check valve between the Town's meter and any hot-water heater installed on the property and a cutoff valve on the service line on such person's property.

§ 418-14. Damaging property pertaining to system.

No person shall damage any property which pertains to or is a part of the Town's water system.

§ 418-15. Emergency consequent upon shortage of water.

The Mayor may, if at any time he is of the opinion that there is a shortage in the Town water supply and that an emergency exists with respect thereto, at such time, give due and adequate notice of the existence of such emergency and prescribe the extent to which the use of water shall be curtailed. Any person found guilty of using water other than as permitted by the terms of the order of the Mayor after due publication of the notice shall be guilty of a misdemeanor.

§ 418-16. Maintenance of supply in reservoirs; restrictions on use of water.

The Town Council reserves the right to reserve a sufficient supply of water at all times in its reservoirs to provide for fires and other emergencies and to restrict or regulate the quantity or quality of water used by consumers in the case of scarcity or whenever the public welfare may require it.

§ 418-17. Cutting off water supply.

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The Town Council reserves the right to cut off, for any cause, the water supply of any or all consumers, upon 60 days' written notice from the Town Council to the consumer or consumers in question.

§ 418-18. Liability of Town.

In case of exercise of rights reserved in § 418-16 or 418-17 the Town shall not be liable for: A.

Any damages or inconvenience suffered by any consumer.

B. Any claim against it at any time for discontinuing the supply of water for any cause.

C. Interruption of services supplying water for any cause.

D. Lessening the supply of water or for furnishing a poor quality of water for any cause.

§ 418-19. Renewal of discontinued or suspended supply of water.

When the supply of water to the consumer is discontinued or suspended by the Town Council for any cause, it may be renewed upon a proper written application, on blanks supplied by the Town Council, when conditions under which the supply of water to the consumer was discontinued or suspended are corrected and on the payment of all charges provided in the schedule of rates or tariff of the use of water by the consumer.

§ 418-20. Town Council as judge of discontinuance of water supply.

The Town Council shall be the sole judge whether it is feasible to correct the conditions under which the supply of water to the consumer is discontinued or suspended.

Article II. Rates, Water Meters and Billing

§ 418-21. Definition.

For the purposes of this article, the word "consumer" shall mean each separate family using water for domestic purposes or watering of livestock or any person using water for business or other purposes, taking water by the means of and through a single service pipe or through connecting service lines from the water mains of the Town, including all persons purchasing water from the Town.

§ 418-22. Water charges generally.

All charges for the taking of water by a consumer shall be payable monthly and shall be determined, with the exception of the minimum charge, by the amount of water used during the preceding month.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-23. Finality of meter reading.

With regard to the quantity of water used by any consumer, the quantity recorded by the meter in question shall be conclusive both on the consumer and on the Town Council, except when the meter has been found to be registering inadequately or has ceased to register. In the latter case, the quantity of water so used shall be determined by the average registration of the meter when in order.

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§ 418-24. Statements.

All statements for Town water service shall be computed by the Town Treasurer on the basis of the rates set out in this article and shall be on a monthly basis. Such statements shall be rendered to the family, property owner, occupant or user as soon as practicable after monthly readings. This statement shall be considered the correct assessment unless a correction is requested of the Town Treasurer within 10 days after the statement is sent out.

§ 418-25. Water supplied to multiple units through single service line.

When water is supplied by the Town through a single service line on which there is only one meter and such water is used by more than one segregated unit in the building, the owner of the building shall be responsible for the payment of the water bill.

§ 418-26. Complaints as to charges.

Any user of water service having a complaint in connection with the assessment of charges under this article shall report the same to the Town Treasurer, as provided in § 418-24, who shall adjust the same or refer the complaint to the Town Council.

§ 418-27. Effect of failure to pay bill by certain date.

In the event a person whose duty it is to pay a statement for Town water service, rendered as provided in § 418-24, by such date as may be established by the Town Treasurer with the approval of the Town Council shall fail to do so, the Town Treasurer may cause the water to the premises in question to be turned off.

§ 418-28. Town to furnish meters.

All water meters through which water is supplied to consumers shall be furnished by the Town and shall remain the property of the Town.

§ 418-29. Separate meter required or minimum charges to be paid.

There shall be a separate water meter for each residence or industrial or commercial establishment or the minimum charges set forth in this article shall be paid for each house or establishment served when a person has a meter that serves two or more houses or establishments, and if in such situation more than the minimum amount of water passes through such meter, the excess shall be paid for at the rates established and provided in this article.

§ 418-30. Installation and location of meters.

Each meter installed for the measurement of water supplied by the Town shall be installed by the Town, or its appointed agent, at a location approved by the Town or its agent.

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§ 418-31. Control and inspection of meters.

Each meter installed for the measurement of water supplied by the Town shall at all times be subject to control and inspection by the Town or its agent, and where any meter is located on private property, building or premises, the Town shall have the right to enter upon or on the same at all reasonable hours for the purpose of inspection, repairing, replacing or removing such meter or to take meter readings.

§ 418-32. Responsibility for damage to meter.

Any meter injured for any cause, directly or indirectly, attributable to negligence of the owner or occupant shall be renewed or repaired at the expense of such owner or occupant of the property in question.

§ 418-33. Unauthorized interference with meters.

No person, other than an authorized representative of the Town, shall at any time remove, tamper with, undertake a repair or in any way interfere with the meter connected to the Town system.

§ 418-34. Procedure when meter tampered with.

If at any time it is found that a meter installed for the measurement of water supplied by the Town has been tampered with or for any reason fails to register or shall be found defective on registering since the previous reading, the water consumption for such period shall be estimated from other similar readings and the average taken of such readings for the same period, or from past readings or from a like installation.

§ 418-35. Water rates.

A. Consumers within Town. Water consumers within the Town shall be charged rates to be fixed by the Town Council from time to time for the use of water supplied from the Town's waterworks or for hook-on or connection fees to the Town's system. A copy of a schedule of such rates shall be maintained on file in the office of the Town Clerk. B. Consumers outside Town.

- (1) Water consumers outside the Town shall be charged rates to be fixed by the Town Council from time to time for the use of water supplied from the Town's waterworks or for hook-on or

connection fees to the Town's system. A copy of a schedule of such rates shall be maintained on file in the office of the Town Clerk.

- (2) Water consumers outside of Town, and any water consumers inside of the Town to which Town lines do not extend, may enter into a contract with Town for the installation and maintenance of their own line, and for the purchase of water from the Town, subject to rates and rules to be established by the Town Council in each individual case.
- C. Schools and other public buildings. Schools and other public buildings shall pay the same water rates to be fixed by the Town Council from time to time for the use of water supplied from the Town's waterworks or for hook-on or connection fees to the Town's system. A copy of a schedule of such rates shall be maintained on file in the office of the Town Clerk.
- D. Water for sprinkler or fire protection system. Water consumers using water to supply a sprinkler system or to provide other fire protection service shall not be charged a minimum charge nor shall

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there be a minimum charge made for extinguishing fires or for testing a sprinkler or other fire protection service system.

Article III. Cross-Connection and Backflow Prevention

§ 418-36. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AIR GAP SEPARATION

The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying pure water to a tank, plumbing fixture, or other device and the rim of the receptacle.

AUXILIARY WATER SYSTEM

Any water system on or available to the premises other than the waterworks. These auxiliary waters may include water from another purveyor's waterworks, or water from a source such as wells, lakes or streams, or process fluids, or used water. They may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.

BACKFLOW

The flow of contaminants, pollutants, process fluids, used water, untreated waters, chemicals, gases, or nonpotable waters into any part of a waterworks.

BACKFLOW PREVENTION DEVICE

Any approved device, method, or type of construction intended to prevent backflow into a waterworks.

CONSUMER

The owner or person in control of any premises supplied by or in any manner connected to a waterworks.

CONSUMER'S WATER SYSTEM

Any water system located on the consumer's premises, supplied by or in any manner connected to a waterworks.

CONTAMINATION

Any introduction into pure water of microorganisms, wastes, wastewater, undesirable chemicals, or gases.

CROSS-CONNECTION

Any connection or structural arrangement, direct or indirect, to the waterworks whereby backflow can occur.

DEGREE OF HAZARD

This is a term derived from an evaluation of the potential risk to health and the adverse effect upon the waterworks.

DOUBLE GATE-DOUBLE CHECK VALVE ASSEMBLY

An approved assembly composed of two single, independently acting check valves including tightly closing shutoff valves located at each end of the assembly and petcocks and test gauges for testing the watertightness of each check valve.

HEALTH HAZARD

Any condition, device, or practice in a waterworks or its operation that creates, or may create, a danger to the health and well-being of the water consumer.

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INTERCHANGEABLE CONNECTION

An arrangement or device that will allow alternate but not simultaneous use of two sources of water.

POLLUTION

The presence of any foreign substance (chemical, physical, radiological, or biological) in water that tends to degrade its quality so as to constitute an unnecessary risk or impair the usefulness of the water.

POLLUTION HAZARD

A condition through which an aesthetically objectionable or degrading material may enter the waterworks or a consumer's water system.

PROCESS FLUIDS

Any fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted which would constitute a health, pollutional, or system hazard if introduced into the waterworks. This includes, but is not limited to:

- A. Polluted or contaminated waters;
- B. Process waters;
- C. Use waters originating from the waterworks which may have deteriorated in sanitary quality; D. Cooling waters;
- E. Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- F. Chemicals in solution or suspension; and
- G. Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for fire-fighting purposes.

PURE WATER or POTABLE WATER

Water fit for human consumption and use which is sanitary and normally free of minerals, organic substances, and toxic substances, and toxic agents in excess of reasonable amounts for domestic usage in the area served and normally adequate in supply for the minimum health requirement of the persons served.

REDUCED-PRESSURE-PRINCIPLE BACKFLOW PREVENTION

A device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks. These devices must be of the approved type.

SERVICE CONNECTION

The terminal end of a service line from the waterworks. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

SYSTEM HAZARD

A condition posing an actual or threat of damage to the physical properties of the waterworks or a consumer's water system.

USED WATER

Any water supplied by a water purveyor from waterworks to a consumer's water system after it has passed through the service connection.

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WATER PURVEYOR

An individual, group of individuals, partnership, firm, association, institution, corporation, municipal corporation, county or authority which supplies water to any person within this state from or by means of any waterworks.

WATERWORKS

All structures and appliances used in connection with the collection, storage, purification and treatment of water for drinking or domestic use and the distribution thereof to the public or residential consumers as set forth in Article 2 of Chapter 6 of Title 32.1, Code of Virginia, as amended.

§ 418-37. Cross-connections unlawful.

- A. No person shall install or maintain a water service connection to any premises where crossconnections to the Town's water system or a consumer's water supply may exist unless such crossconnections are abated or controlled to the satisfaction of the Town.
- B. No person shall install or maintain any connection whereby water from an auxiliary water system may enter the Town's or consumer's water system unless the auxiliary water system and the method of connection and use of such system shall have been approved by the Town.

[1] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-38. Inspections.

It shall be the duty of the Mineral Town Council to cause inspections to be made of properties served by the waterworks where cross-connection with the waterworks is deemed possible. The frequency of inspections, and reinspections, based on potential health hazards involved, shall be established by Mineral Town Council in the Cross-Connection Control and Backflow Prevention Program and as approved by the Virginia Department of Health.

§ 418-39. Right of entry.

The representative of the Town of Mineral shall have the right to enter at any reasonable time properties served by a connection to the waterworks of Mineral for the purpose of inspecting the piping system or systems for cross-connections. Upon request, the owner, or occupants, of property served shall furnish to the inspection agency pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connection.

§ 418-40. Backflow prevention devices.

- A. An approved backflow prevention device shall be installed on each service line to a consumer's water system where, in the judgment of the Town, a health, pollutional or system hazard to the water system exists.
- B. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist, except as noted in Subsection **B(7)** below:
- (1) Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Town.
 - (2) Premises on which any substance is handled in such a manner as to create an actual or potential hazard to the water system, including premises having sources or systems containing

process fluids or waters originating from a waterworks which are not under the control of the Town.
 - (3) Premises having internal cross-connections that, in the judgment of the Town Manager, may not be easily correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.
 - (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
 - (5) Premises having a repeated history of cross-connections being established or reestablished.
 - (6) Premises having fire protection systems utilizing combinations of sprinklers, fire loops, storage tanks, pumps, antifreeze protection or auxiliary water, except that fire loops and sprinkler systems with openings not subject to flooding, containing no antifreeze or other chemicals and with no storage or auxiliary sources will not normally require backflow prevention.
 - (7) Premises having booster pumps connected to the waterworks shall be equipped with a lowpressure cutoff device to shut off the booster pump when the pressure in the waterworks drops to a minimum of 10 pounds per square inch gauge.
 - (8) Other premises specified by the Town when cause can be shown that a potential crossconnection hazard exists.
- C. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving the following types of facilities:
- (1) Hospitals, mortuaries, clinics and nursing homes.

- (2) Laboratories.
- (3) Piers, docks and waterfront facilities.
- (4) Sewage treatment plants, sewage pumping stations or stormwater pumping stations.
- (5) Food and beverage processing plants.
- (6) Chemical plants and dyeing plants.
- (7) Metal plating industries.
- (8) Petroleum processing or storage plants.
- (9) Radioactive materials processing plants or nuclear reactors.
- (10) Car washes.
- (11) Lawn sprinkler systems and irrigation systems.
- (12) Fire service systems.
- (13) Slaughterhouses and poultry processing plants.
- (14) Farms where the water is used for other than household purposes.
- (15) Premises under construction and to be constructed as provided in the Uniform Statewide Building Code.
- (16) Others specified by the Town Manager where potential backflow or cross-connection hazard can be shown.

[1] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 418-41. Right to deny service.

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The water purveyor may deny or discontinue the water service to a consumer if the required backflow prevention device is not installed. If it is found that the device(s) has been removed or bypassed or if a cross-connection exists on the premises, or if the pressure in the waterworks is lowered below 10 psi gauge, the purveyor shall take positive action to ensure that the waterworks is adequately protected at all times. Water service to such premises shall not be restored until the deficiencies have been corrected or eliminated in accordance with the Commonwealth of Virginia Waterworks Regulations and to the satisfaction of the purveyor.

§ 418-42. Protection from contamination.

The potable water made available on the properties served by the waterworks shall be protected from possible contamination or pollution by enforcement of this article and the County of Louisa Plumbing Code. Any water outlet which could be used for potable or domestic purposes and is not supplied by the potable system must be labeled as "Water Unsafe for Drinking" in a conspicuous manner.

§ 418-43. Effect on plumbing codes.

This article is a supplement to the applicable plumbing codes.

§ 418-44. Violations and penalties.

Any person or customer found guilty of violating any of the provisions of this article, or any written order of the Town of Mineral in pursuance thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided in § 1-3 of this Code. Each day upon which a violation of the provisions of this article shall occur shall be deemed a separate and additional violation for the purposes of this article.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

Article IV. Delinquent Charges

§ 418-45. Delinquent water charges to be lien against property.

All charges for services or fees under this chapter for water services or fees which remain unpaid and delinquent for as much as 60 days from the due date shall be a lien against the real estate of any owner to whom such services were supplied, and if the party owing such charges that are delinquent as herein stated is a tenant and not an owner of such real estate, then such indebtedness shall be a lien against any personal property of the tenant located within the limits of the Town. If any such delinquent charges are due at the time taxes are billed to any such party, such delinquent charges shall be placed on the tax bill of such owner or tenant and collected as taxes are collected.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

Town of Mineral, VA
Thursday, August 15, 2024

Chapter 425. Zoning

Article IX. Special Provisions

§ 425-53. Minimum off-street parking.

There shall be provided at the time of erection of any main building minimum off-street parking space with adequate provision for ingress and egress by standard-sized automobiles, as follows:

- A. Residential Limited District. Two spaces for single-family dwellings. See below for provisions on other permitted uses.
- B. Residential General District. [Amended 9-12-1988]
 - (1) There shall be provided, either in a private garage or on the lot, space for parking of one automobile for each dwelling unit in a new dwelling, apartment building or other building housing people, or for any unit added to any dwelling, apartment building or other building in case of the enlargement of an existing building.
 - (2) Each person in addition to a family occupying a separate room in dormitories, boardinghouses or any other building housing people shall be considered a separate unit in such building or dwelling.
- C. Tourist homes and motels shall provide on the lot parking space for one automobile for each accommodation.
- D. Any commercial building hereafter erected or converted shall provide one parking space for each 300 square feet of business floor space in the building. Any restaurant or establishment hereafter erected that serves meals, lunches or drinks to patrons either in their cars or in the building shall provide one parking space for each 200 square feet of business floor space in the building; provided, however, that two or more establishments may provide necessary parking space upon a single parcel of land.
- E. Any church, theater, auditorium, stadium, funeral home or chapel, or any other structure involving the assembling of persons, shall provide on the same lot or within 1,000 feet thereof, together with means of ingress and egress thereto, one parking space for each eight seats provided in the structure.
- F. Any hospital or sanitarium shall provide on the same lot or in the immediate vicinity, together with ingress and egress thereto, space for the standing of cars used by patients or their guests at the scale of one space for each three beds.
- G. Space shall be provided for the loading and unloading of trucks and commercial vehicles serving commercial buildings.
- H. Industrial establishments shall provide, on the lot, parking space for one automobile for each four employees.

§ 425-54. Trailer courts.

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Town of Mineral, VA Special Provisions

- A. Trailer courts shall be subject to an annual license for which a fee established by the Town Council shall be assessed, and no trailer court shall continue its operations without such annual license having been obtained.^[2]

[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

- B. Area requirements. For each trailer space within a trailer court designated to accommodate one trailer there shall be provided not less than 2,700 square feet of area which shall front on an internal trailer court street, road, or right-of-way.
- C. Width. Each trailer space shall have a minimum width of not less than 35 feet.
- D. Distance between trailers. Parking spaces for trailers shall be so arranged as to provide a distance of not less than 20 feet between adjacent trailers.
- E. Sanitary facilities. Each trailer space shall be provided with individual water and sewer connections.
- F. Electrical connections. Each trailer space shall be provided with electrical outlets installed in accordance with the National Electrical Code.
- G. Outside toilets forbidden. No trailer court shall have outside toilet or toilet facilities which are not connected to a sewage disposal system.

[1] *Editor's Note: See also Ch. 397, Trailers and Manufactured Homes.*

§ 425-55. Widening of highways and streets.

Whenever there shall be plans in existence, approved by either the State Department of Transportation or by the Town Council, for the widening of any street or highway within the Town, the Planning Commission may recommend additional front yard setbacks for any new construction or for any structures altered or remodeled adjacent to the future planned right-of-way, in order to preserve and protect the rights-of-way for such proposed street or highway widening.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).*

§ 425-56. Uses not provided for.

Whenever in any district established under this chapter a use is not specifically permitted or denied and an application is made to the Zoning Administrator for such use, the Zoning Administrator shall refer the application to the Planning Commission, which shall make its recommendations to the Council within 30 days. The Council may then approve or deny the application in accordance with the provisions of this chapter and § 15.2-2204, Code of Virginia, as amended.

§ 425-57. Conditional use permit.

Where specified in this chapter the governing body shall require the issuance of a conditional use permit (in addition to other required permits). These permits shall be subject to such conditions as the governing body deems necessary to carry out the intent of this chapter. No such conditional use permit shall be issued except after public notice and hearing as provided for in § 15.2-2204, Code of Virginia, as amended.

