Approved April 10, 2025

RULES AND REGULATIONS OF THE
RAPPAHANNOCK COUNTY WATER & SEWER AUTHORITY

AS AMENDED, EFFECTIVE MAY 1, 2025

Table of Contents

SECTION 1 - SUMMARY *4*

1.1 General: 4

SECTION 2 - OVERVIEW *4*

2.1 General: 4

2.2 Definitions: 5

2.3 Related Documents: 7

SECTION 3 - CONNECTING TO THE SEWER SYSTEM *7*

3.1 General Requirements for Connections: 7

3.2 Connection Permit: 7

3.3 Disconnections: 10

3.4 Mandatory Connections: 10

3.5 Discretionary Connections: 11

SECTION 4 - EQUIVALENT DWELLING UNITS (EDUs) *11*

4.1 General: 11

4.2 Non-Transferable: 11

4.3 Relinquishment of EDUs: 12

4.4 Active and Inactive EDUs: 12

SECTION 5 - SEWER FEE DESCRIPTIONS *13*

5.1 Responsibility for Payment: 13

5.2 Application Fee: 14

5.3 Connection Fee: 14

5.4 Front Footage Fee: 15

5.5 Service Fee: 15

5.6 Inspection Fee: 16

5.7 Remediation and Repair Fee: 16

5.8 Disconnection/Reconnection Fee: 17

5.9 EDU Transfer Fee: 17

SECTION 6 - PROHIBITED DISCHARGES *17*

6.1 Prohibited Substances: 17

SECTION 7 - BILLING AND PAYMENT *18*

7.1 Billing date: **18**
7.2 Due Date: **19**
7.3 Penalty: **19**
7.4 Interest: **19**
7.5 Allocation of Partial Payments: **19**
7.6 Termination of Service for Non-Payment: **19**
7.7 Liens: **19**
7.8 Notices to Property Owner: **20**
SECTION 8 - VIOLATIONS ***20***
8.1 Termination of Service: **20**
SECTION 9 - MISCELLANEOUS ***21***
9.1 Indemnification: **21**
9.2 Liability of Sewer Authority for System Malfunctions: **21**
9.3 Severability: **21**
9.4 Legal Actions by Authority: **21**
9.5 Tampering with Sewer System: **22**
9.6 Notice to Authority: **22**
9.7 Pre-Treatment: **22**
SECTION 10 - APPENDICES ***22***

SECTION 1 - SUMMARY

1.1 General:

A. These Rules and Regulations supersede and replace all prior rules, regulations and ordinances of the Authority.

B. These Rules and Regulations were adopted by the Rappahannock County Water & Sewer Authority, after a duly advertised public hearing in accordance with §15.2-5136 G. of the Code of Virginia, by vote of its members at a public meeting held on April 10, 2025 in the Sperryville Rescue Squad, Sperryville, Virginia.

C. These Rules and Regulations become effective May 1, 2025 at 12:00 AM, midnight.

D. The amended By-Laws shown in Appendix E were adopted by the Authority on April 10, 2025.

SECTION 2 - OVERVIEW

2.1 General:

A. The Rappahannock County Water & Sewer Authority (Authority) provides sewer service in and around the Village of Sperryville, Rappahannock County, Virginia. It does not provide water. The Service District of the Authority includes all properties that abut a street, public right of way, or an easement that contains sewer lines owned by the Authority to which a Service Lateral may be connected.

B. The Authority was created by the Rappahannock County Board of Supervisors in 1968 to address problems arising from the discharge of raw sewage from businesses and residences into the Thornton River. The Authority constructed and operates a Sewer System.

C. The Authority holds a permit from the Commonwealth of Virginia allowing it to discharge up to 55,000 gallons per day of treated effluent. To maintain that permit, and to ensure proper operation of the Sewage Treatment Plant, the Authority must control the type and quantity of liquid waste that enters the Sewer System. This is accomplished by issuing Connection Permits.

D. Each building sought to be connected to the Sewer System must first obtain a Connection Permit (Permit). That Permit will be issued specifically for that building and for the intended use of that building as stated by the applicant, and will allow a certain quantity of waste, measured in units called EDUs, to enter the Sewer System from that building. The Permit may also specify terms and conditions that apply to the contents of the waste so that the Sewage Treatment Plant continues to operate properly. Violation of a Permit may result in a building being disconnected from the Sewer System and the imposition of penalties on the Property Owner.

E. Except as otherwise provided, the Property Owner is responsible for connecting the

building to the Sewer System.

F. To obtain a Permit, the applicant must demonstrate to the Authority that the Service Lateral (new or existing) meets or will meet all applicable requirements required by the latest version of the Authority's Installation Details and Summary of Work (Installation Manual) which defines the minimum requirements to connect a residence or business to the Sewer System.

G. Sewer Fees for services by the Authority are defined in these Rules and Regulations and may be changed from time to time by the Authority as allowed by State law.

H. Connection to the Sewer System may be either Mandatory, for those properties that front on streets or rights-of way containing sewer mains, or Discretionary, for other properties in the Service District.

I. The Authority will inspect the work performed by the Property Owner in connecting a building to the Sewer System, or in replacing or upgrading any portion of its Service Lateral, to ensure compliance with these Rules and Regulations.

J. The Authority is not a profit-making entity and the members of its governing body are not paid; all Sewer Fees collected go into the maintenance of the Sewer System and for capital expenditures to keep the Sewer System operating.

K. These Rules and Regulations govern Residential and Commercial connections to the Sewer System. Industrial connections are not addressed and are not allowed.

2.2 Definitions:

A. Property Owner:
   1. The owner of the property for which service is provided under these Rules and Regulations.
   2. The person responsible for compliance with all aspects of these Rules and Regulations.

B. Building:
   1. The structure on the property to which the Permit applies.

C. Unimproved Parcels:
   1. A property served by the Authority that has never had Sewer service or an occupied building or Dwelling Unit built upon it.

D. Dwelling Unit:
   1. A Dwelling Unit is any room, group of rooms, house trailer or other enclosure occupied or intended for occupancy as separate living quarters by a family or other group of persons living together, or by a person living alone.

E. Service Lateral:
   1. The connection between the main line of the Sewer System, located in a street or right-of-way, and the building to be served.

2. This connection includes all tanks, pumps, and associated piping and equipment.
3. Service Lateral standards and requirements are defined in the Installation Manual.

F. Sewer System:
1. The Collection System, which comprises all pipes, tanks, pumps, and ancillaries that collect raw sewage and transport it, or components of it, to the Sewage Treatment Plant.
2. The Sewage Treatment Plant, where the waste is treated and then discharged into the Thornton River.

G. Equivalent Dwelling Unit (EDU):
1. An EDU is an arbitrary unit of volume that defines the amount of liquid waste a Property Owner is permitted to discharge into the Sewer System, and which the Authority is required to treat, and is used to determine the amount of the Connection and Service Fees.
2. An EDU is defined by the Authority as the estimated amount of liquid waste produced by the average single-family dwelling in a day and is equal to approximately 150 gallons per day. Therefore, to connect to the Sewer System the normal single-family dwelling will require a Permit for one EDU and will pay Connection and Service Fees for that one EDU.

H. Installation Manual:
1. A separate document that defines the minimum administrative and technical requirements for the design and installation of Service Laterals.

I. Existing Connection:
1. Connections made to the Sewer System before July 1, 2014.
2. May or may not have a Permit; however, these connections are subject to all provisions of these Rules and Regulations.
3. The Service Lateral (beginning with the Septic Tank) and related equipment is owned, maintained, and replaced as required by the Authority.
4. The main gravity sewer line from the Property Owners' building to the Septic Tank, and the source of power from the Property Owners' building to the pump tank, are owned, maintained, and replaced as required by the Property Owner.
5. Septic Tanks are pumped by the Authority.

J. New Connection:
1. Connections made to the Sewer System July 1, 2014, or after.
2. The Service Lateral and related equipment shall be provided, installed, paid for, maintained, and replaced by the Property Owner. Installation and equipment shall be as described in the Installation Manual.
3. Septic Tanks are pumped by the Property Owner.
4. By prior arrangement with the Authority, certain repair or maintenance may be performed by the Authority for which the Property Owner shall be billed. See Sewer Fee descriptions below.

K. New Connection - Septic Tank Pumping:

1. These requirements apply to all New Connections.
2. Tanks for Commercial Permits shall be pumped at least once annually.
3. Tanks for Residential Permits shall be pumped at least once every six years.
4. The Property Owner shall submit evidence of pumping to the Authority to satisfy the above schedule.
5. If pumping schedules are not maintained by the Property Owner, and the Authority must pump the tanks, all costs will be back-charged to the Property Owner along with a service fee.
6. The above schedules may be accelerated by the Authority if inspections dictate more frequent pumping is required.

2.3 Related Documents:

A. The following documents may be referenced in these Rules and Regulations and are available to the public:
   1. Installation Manual.
   2. Fee schedule.
   3. Articles of Incorporation.
   4. Latest Plant Operating Permit.

B. These documents are available from the Authority and can be found on BoardDocs. BoardDocs is Rappahannock County's online document library. Go to: https://go.boarddocs.com/va/corva/Board.nsf/Public, navigate to: Library/General/Rappahannock County Water & Sewer Authority.

SECTION 3 - CONNECTING TO THE SEWER SYSTEM

3.1 General Requirements for Connections:

A. The Property Owner shall:
   1. Submit an Application for a Connection Permit. The Application (included as Appendix A) shall address all requirements defined in the Installation Manual and shall include plans or drawings sufficient to permit the Authority to review and approve the Application.
   2. With an approved Application, and upon payment of applicable Sewer Fees, receive a Permit.
   3. Install the Service Lateral (or modifications to an existing Service Lateral required for a Reissued Permit) and pass inspection of the Service Lateral by the Authority.

B. The Property Owner shall comply with the Permit and these Rules and Regulations.

3.2 Connection Permit:

A. A Connection Permit (Permit) is required to connect to and to discharge wastewater into the Sewer System from any New Connection. Permits shall be obtained from the Authority. Permits are required for the following:
   1. Buildings that have not been previously connected to the Sewer System (New Permit)

2. Buildings whose use is changed from Residential to Commercial (Reissued Permit).
3. Buildings that undergo a material change in the Commercial activities for which the existing permit was issued, including without limitation an increase in the number of EDUs required for the discharge (Reissued Permit).
4. Changing EDU status from Inactive to Active (Reissued Permit).
5. The above conditions for a Permit apply to New and Existing Connections.

B. All discharges into the Sewer System shall comply with the terms of the Permit. The Permit shall allow a specific building, on a specific property and with a specific use, to connect to the Sewer System, and to discharge a specified number of EDUs into the Sewer System and may specify the terms and conditions under which such connection and discharge are allowed.

C. New Permits and Reissued Permits shall require the Service Lateral to be installed and/or brought up to date to comply with the latest version of the Installation Manual.

D. Applicability:
1. Permits are building-specific and use-specific and cannot be transferred to another building except as provided in Section 4.2.
2. Change of property ownership:
    a. Permits run with the land and are unaffected by change in property ownership.
    b. The new Property Owner will be entitled to all rights granted, and be subject to all terms and conditions imposed, by the Permit issued to that building.
    c. The new Property Owner is responsible for submitting a New Owner Intake Form within 30 days of acquiring title. This form informs the Authority of their name, mailing and email addresses, telephone number, and confirms that the use of the property as reflected in the Permit will continue unchanged.
    d. The Authority will then issue a replacement Permit, with the same terms and conditions as the original permit, reflecting the new Property Owner's information.
    e. Responsibility for Sewer Fee payment changes to the new property owner upon the Authority's acceptance of a completed New Owner Intake Form.
3. In the event a building is destroyed, by whatever cause, any Permit assigned to that building shall likewise be assigned to any replacement building. However, if the replacement building will discharge waste into the Sewer System different in nature or quantity than the destroyed building, or the replacement building will have a different use from the destroyed building, then the Authority will require the Property Owner to obtain a new Permit and to pay additional Connection and Service Fees to accurately reflect the requirements of the new Permit.

E. The Permit shall be in the form of Appendix B, with additional terms and conditions the Authority reasonably deems appropriate.

F. No Permit will be issued until all Sewer Fees required by these Rules and Regulations have been paid.

G. The Authority may condition the approval of any Permit on the Property Owner's compliance with the terms and conditions stated in the Permit, which may include pre-treatment requirements, to ensure the applicant's use of the Sewer System is in accord with representations made in the application, with these Rules and Regulations, and with State and Federal law.

H. Access and Evaluation:
   1. Application by a Property Owner for a Permit to connect a building to the Sewer System shall constitute consent for the Authority, its members, agents or employees, on prior notice to the Property Owner, to go onto the property on which the building is located, and into the building if it then exists, to test or inspect for anything relevant as to whether the Permit applied for should be issued, and whether any additional terms and conditions should be attached to the Permit.
   2. This shall include the right to inspect any operations or activities being conducted on the property that could result in, or affect, a discharge into the Sewer System.
   3. It shall be the applicant's responsibility to provide the Authority with all information necessary for the Authority to evaluate the application.

I. Flow Meters:
   1. Permits issued for Commercial uses shall require, and Permits issued for Residential uses may require, the Property Owner to install a flow meter and to provide a means for the sampling of effluent prior to its entry into the Sewer System and/or require the Property Owner to monitor and submit photographic or other documentation of the volume of water supplied to the building on a monthly or other basis.

J. Change of Use:
   1. In the event a Permit has been issued for a particular building and a use conducted within that building changes so as to require the Property Owner to obtain a Reissued Permit under Section 3.2 Paragraph A, but the Property Owner fails to do so, the Authority may assess or impose additional Connection and Service Fees, surcharges or EDUs retroactive to the date the change in use occurred, which amount shall be due and payable within 30 days of notice of assessment, and shall require the Property Owner to apply immediately for a Reissued Permit.
   2. A Property Owner's failure to promptly obtain a Reissued Permit, or to pay any newly assessed Connection or Service Fees, shall be deemed a Violation and treated as such under Section 8.1.

K. Connections for Residential and Commercial Uses:
   1. If the discharge from a building contains wastewater from both Residential and Commercial uses, the Authority may require separate Service Laterals for each use.

L. Connections for Each Building:
   1. Each building connected to the Sewer System, whether the connection is Mandatory or Discretionary, shall have a separate Service Lateral.
   2. Two or more buildings may not share the same Service Lateral.
   3. The Authority may waive this requirement if the second building is an accessory of the other building, such as a garage and a house.
   4. The Authority may impose such conditions as it deems appropriate on any such waiver.

3.3 Disconnections:

A. No building may be disconnected from the Sewer System without prior consent of the Authority.

B. Any building disconnected from the Sewer System by the Property Owner in violation of Section 3.3 shall be subject to the Mandatory Connection provisions of Section 3.4 and shall be required to obtain a new Permit and pay a Connection Fee.

C. Section 3.3 shall not apply if a building is temporarily disconnected by the Authority for the purpose of maintenance or repair.

3.4 Mandatory Connections:

A. If treatment capacity is available, at the direction of the Authority, the Property Owner of each lot or parcel of land:
   1. that abuts a street, public right of way or an easement which contains the Sewer System owned by the Authority; and,
   2. upon which a building has been constructed for Residential or Commercial use;
   3. and which has a water supply to the building,
   4. shall connect each such building on the parcel to the Sewer System and shall cease to use any other method for the disposal of sewage, sewage waste or other polluting matter, except as provided in Section 3.4 Paragraph B. All such connections shall be made in accordance with these Rules and Regulations.

B. Those persons having a private septic system or domestic sewage system meeting applicable standards established by the Virginia Department of Health shall not be required to discontinue the use of such system, but are required to pay to the Authority:
   1. An Application Fee; and,
   2. a Front Footage Fee.
   3. Section 3.4 Paragraph B only applies to such systems as are in use as of the date the Authority notifies the Property Owner that they are subject to mandatory connection to the Sewer System.

C. An Application Fee as shown in the Fee Schedule shall be charged for Mandatory Connections, including for a New or Reissued Connection Permit, and must be paid before the application will be considered complete.

3.5 Discretionary Connections:

A. Any Property Owner within the Service District who is not subject to the Mandatory Connection rule may apply for a Permit to connect a building to the Sewer System.

B. Such application must be signed by all the owners of the property on which the building is, or will be, located.

C. An Application Fee as shown in the Fee Schedule must be paid before the application will be considered complete.

D. The Authority shall apply the following factors in deciding whether to approve the Permit:
   1. the remaining capacity of the Sewer System;
   2. the nature and quantity of the proposed discharge into the Sewer System;
   3. the availability of alternate methods of sewage disposal for the property;
   4. additional cost to the Authority;
   5. whether the proposed use of the property is likely to increase the load on the Sewer System over time;
   6. pre-treatment requirements;
   7. the allocation of Sewer System capacity among competing applicants;
   8. the growth policies expressed in the Rappahannock County Zoning Ordinance and Comprehensive Plan.

SECTION 4 - EQUIVALENT DWELLING UNITS (EDUS)

4.1 General:

A. The number of EDUs assigned to various uses are shown in Appendix D, and the Connection Fees associated therewith are shown in the Fee Schedule.

B. For property uses not listed in Appendix D, upon receiving a written application, the Authority shall assign EDUs for that use based upon the number of EDUs assigned to similar uses.

4.2 Non-Transferable:

A. EDUs are assigned by Permit to specific buildings and may not be transferred to another building without the consent of the Authority, the payment of an EDU Transfer Fee and the amendment of the affected Permit(s).

B. In some cases, EDUs are not assigned to a specific building but are assigned to a Tax Map Parcel, typically where a building does not exist. These EDUs may not be transferred to another parcel. In the event of the sub-division of the Tax Map Parcel, the Property Owner shall inform the Authority as to which resulting parcel, or building, the EDU is assigned. An EDU shall not be transferred to another building unless a full first EDU Connection Fee as shown in the Fee Schedule has been paid for that building, and all Sewer Fees owed the Authority are current. If a transfer is allowed, the Permits for the respective buildings shall be amended to show current

information and the number of EDUs assigned to each building.

4.3 Relinquishment of EDUs:

A. A Property Owner who is granted a certain number of EDUs, and who is not using same, may upon written application, with the approval of the Authority, relinquish some or all the EDUs to the Authority, whereupon the Property Owner shall no longer be charged a Service Fee for those EDUs.

B. To re-acquire EDUs, a Property Owner must secure a New Permit or a Reissued Permit and pay the requisite Connection and other applicable Sewer Fees. The Authority does not reserve relinquished EDUs for the Property Owner or guarantee that EDUs will be available to enable a Property Owner to acquire EDUs equivalent to the number of EDUs the Property Owner relinquished.

4.4 Active and Inactive EDUs:

A. The status of all EDUs purchased shall be reflected in the Permit.

B. Inactive EDUs:
1. With permission of the Authority, EDUs may be purchased and kept in an Inactive status.
2. Any Permit issued by the Authority authorizing Inactive EDUs may impose such conditions as the Authority deems appropriate to monitor and verify the amount and type of effluent being discharged into the Sewer System.
3. The Service Fee for an Inactive EDU shall be one-half the normal Service Fee for one Active EDU.

C. Converting Inactive EDUs to Active Status:
1. The Property Owner may apply in writing to the Authority to convert Inactive EDUs to Active status.
2. No Application Fee shall be charged to convert an Inactive EDU to Active status.
3. A New or Reissued Permit, as appropriate, shall be issued to reflect the status of the EDUs for each building concerned.
4. Applications to convert Inactive EDUs to Active status shall only be considered if the applicant's account is in good standing.

D. Converting Active EDUs to Inactive Status:
1. The Property Owner may apply in writing to the Authority to convert Active EDUs to Inactive status.
2. An Application Fee shall apply for each application in which EDUs are sought to be converted to Inactive status.
3. Upon review of the application and proof satisfactory to the Authority that some of the applicant's EDUs are not being used, the Authority may agree to allow the conversion to Inactive status for all or some of the EDUs requested.
4. A New or Reissued Permit, as appropriate, shall be issued to reflect the status of the EDUs for each building concerned.
5. Applications to convert Active EDUs to Inactive status shall only be considered if the applicant's account is in good standing.

E. Cancelling Inactive EDUs:
   1. Should demand exceed available Active EDUs, the Authority has the right to cancel Inactive EDUs and make them available for issuance by the Authority.
   2. A Property Owner holding Inactive EDUs can convert them to Active in lieu of having them cancelled.
   3. Inactive EDUs reserved for Unimproved Parcels (per Section 4.4 Paragraph G) cannot be cancelled for the reason stated in Section 4.4 Paragraph E.1.

F. If both Active and Inactive EDUs are assigned to the same building:
   1. The Property Owner must install a flow meter.
   2. It shall be the Property Owner‘s responsibility to inform the Authority when the average daily discharge measured over thirty consecutive days exceeds the discharge allowed for all Active EDUs assigned to that building, whereupon the appropriate number of Inactive EDUs shall be converted to Active status and a Reissued Permit shall be issued reflecting the then current status of all EDUs assigned to that building.
   3. The Authority shall have the right of access to flow meters on any weekday between 9:00 AM and 5:00 PM.
   4. If the flow meter or sampling site is inside a building, the Property Owner shall arrange for access upon reasonable notice from the Authority.
   5. If a Property Owner denies access to the Authority, after giving written notice, the Authority may, in its sole discretion, convert all Inactive EDUs assigned to a building to Active status and bill the Property Owner accordingly.
   6. Alternatively, any Permit for a Commercial use may require the Property Owner to monitor and submit photographic or other documentation of the volume of water supplied to a building on a monthly or other basis.

G. Unimproved Parcels:
   1. Tax Map Parcels without buildings on them may have up to one Inactive EDU.
   2. These parcels are allowed to reserve this EDU for future use by continuing to pay the Service Fee.
   3. This EDU can remain in reserve provided the applicant’s account stays in good standing. Otherwise, the Authority has the option to cancel the EDU and the Property Owner will need to apply for a New Permit and purchase the number of EDUs required under the New Permit.
   4. Once the parcel is improved, the Property Owner must apply for a New Permit to connect the building to the Sewer System and convert the EDU from Inactive to Active.
   5. No new Connection Fee shall be charged for the one EDU previously reserved, unless it has been cancelled under Section 4.4 Paragraph G.3 above for non-payment. Obtaining additional EDUs will, however, be subject to these Rules and Regulations and all applicable Sewer Fees.

SECTION 5 - SEWER FEE DESCRIPTIONS

5.1 Responsibility for Payment:

A. All fees provided for in these Rules and Regulations shall be the responsibility of the

Property Owner served by the Sewer System.

B. When property ownership changes, the prior Property Owner shall be responsible to pay all Sewer Fees accrued until the date the Authority accepts a New Owner Intake Form from the new Property Owner, after which the new Property Owner shall become responsible for Sewer Fees going forward.

C. The amounts of these Sewer Fees are published in the Fee Schedule. The Fee Schedule is available from the Authority and on BoardDocs.

D. Sewer Fee descriptions follow.

5.2 Application Fee:

A. This fee is due when an application is filed with the Authority for a Permit:
   1. To make a Connection of a building to the Sewer System for the first time (New Permit).
   2. To amend an existing Permit for a building already connected to the Sewer System (Reissued Permit).
   3. To convert any number of Active EDUs to Inactive status.
   4. Payment of this fee does not guarantee a Permit will be approved or issued.

5.3 Connection Fee:

A. For both Mandatory and Discretionary Connections, a Connection Fee is charged for each building connected to the Sewer System.

B. Payment of this fee allows the Property Owner to connect a specific building to the Sewer System for a specific use, and to discharge a specified number of EDUs into the Sewer System in accordance with the terms and conditions of the Permit issued to the Property Owner.

C. Connection Fees are calculated based on the number of EDUs approved for a specific building for a specific use as shown in Appendix D and shall be payable at or before the issuance of the Permit.

D. No work shall begin on any structure that is to be connected to the Sewer System, nor shall any Rappahannock County Building Permit be issued, nor shall any waste be discharged into the Sewer System, until the Connection Fee is paid.

E. In the event the use of the building causes the number of EDUs discharged into the Sewer System to exceed the number allowed by the Permit, then the Authority may require the Property Owner to apply for a Reissued Permit that will reflect the number of EDUs being discharged and may impose additional Connection and Service Fees in accordance with Appendix D and the Fee Schedule.

F. In the event a Connection Fee is assessed against a property that will not immediately be physically connected to the Sewer System, the Authority may set a payment schedule for such Connection Fee during the period when the property is not yet physically connected to the Sewer System, which may include interest not to

exceed 10% per annum.

5.4 Front Footage Fee:

A. This fee is charged to those Property Owners who are subject to the Mandatory Connection requirement in Section 3.4 Paragraph A, but who continue to use an approved private system under Section 3.4 Paragraph B, and are not discharging into the Sewer System.

B. This fee is for the Authority making its services available to a property, maintaining same and to accommodate the future connection of a building.

C. Front Footage Fees shall be calculated in accordance with the Fee Schedule and shall be billed and collected as part of the net bill for any quarter.

D. Future connections are dependent on availability of EDUs.

5.5 Service Fee:

A. This is a monthly fee billed quarterly for the collection, transport and processing of the liquid waste from a specific building that is discharged into the Sewer System. It is calculated based on the number of EDUs.

B. Service Fees shall begin to accrue the day after a Permit is issued and shall be prorated by the day for the remaining portion of that month and shall be reflected in the next quarterly bill.

C. In the event the actual use of any building causes the amount of waste discharged into the Sewer System to exceed the amount authorized by the EDU count, then additional Service and Connection Fees may be imposed by the Authority as follows:

1. Surcharge: If the measured discharge into the Sewer System from a building consistently exceeds the amount allowed by Permit, but the Authority finds such excess discharge is not of sufficient nature or quantity to justify assigning an additional EDU to the building, then the Authority may impose a surcharge on each gallon of waste in excess of what is allowed by Permit. In arriving at the amount of the surcharge, the Authority shall consider the nature and quantity of the waste, its effect on the Sewer System and the per gallon rate already being paid by the Property Owner. If such a surcharge is made, there shall be no additional Connection Fee charged. Any such surcharge shall be uniformly applied among users for the same type and quantity of waste.
2. Additional EDUs: If the measured discharge into the Sewer System from a building consistently exceeds the amount allowed by Permit to the extent that additional EDUs should be assigned to the building, then the Authority may require the Property Owner to apply for a Reissued Permit reflecting the increased number of EDUs, and the Property Owner shall then be responsible for any Connection and Service Fees attributable to the additional EDUs.
3. In order to determine whether Permit limits are consistently being exceeded, the flow from a building shall be monitored for a period of at least 30 consecutive days.

4. Prior to either the imposition of a surcharge or the assignment of additional EDUs:
    a. The Property Owner shall be given written notice that the Authority proposes to impose a surcharge or assign additional EDUs.
    b. The Authority shall advise the Property Owner of the amount of the surcharge or the number of additional EDUs and of the basis for the Authority's proposal.
    c. Such notice shall be mailed within 7 days after the monthly meeting of the Authority at which a majority voted to propose the imposition or assignment. The notice shall advise the Property Owner they have the right to appear at the next monthly public meeting of the Authority and comment upon the proposal, whereupon the Authority shall vote on a revised proposal.
    d. The Authority may not exceed the surcharge or EDUs stated in the notice but may reduce same.
    e. The Authority and the Property Owner may, prior to the notice, by amended Permit, agree to a surcharge or to additional EDUs, in which case this notification procedure need not be followed.

5.6 Inspection Fee:

A. This fee is based on the employee-hours required for an employee of the Authority to conduct any inspection required or authorized under these Rules and Regulations, including without limitation inspections to confirm as-built compliance with applications for New or Reissued Permits.

B. Refer to the Installation Manual for a list of the required meetings and inspections in connection with New and Reissued Permits.

C. It is the Property Owner's responsibility to procure a qualified contractor to make the necessary connection in accordance with the Installation Manual. Reinspection costs due to faulty work are the responsibility of the Property Owner.

5.7 Remediation and Repair Fee:

A. This Remediation Fee shall be charged to the Property Owner to compensate the Authority for costs necessary to repair or replace any portion of the Sewer System because of damage caused by the intentional or negligent act of the Property Owner, or by any person using the Sewer System with the consent of the Property Owner.

B. A Repair Fee shall be charged, if, based on agreement between the Authority and the Property Owner, on a case-by-case basis, the Property Owner wants the Authority to make repairs or replacements to the Sewer System for which the Property Owner is otherwise responsible.

C. Remediation and Repair Fees shall be billed for the time expended by the employees of the Authority, plus cost of materials (with markup), at the hourly rates set forth in the Fee Schedule.

5.8 Disconnection/Reconnection Fee:

A. This fee is charged if service to a property is disconnected because of non-payment of Sewer Fees, or because of violation of these Rules and Regulations, a Permit, or State or Federal law.

B. This fee covers the cost to the Authority to disconnect and then reconnect a building to the Sewer System. The exact cost associated with disconnection/reconnection will depend on the level of effort required to make the disconnection and reconnection but shall be at least equal to the amounts set forth in the Fee Schedule

C. This fee must be paid before service will be resumed.

5.9 EDU Transfer Fee:

A. This fee is charged if, at the request of the Property Owner, one or more EDUs are transferred from one building to another building on the same parcel of land.

B. No EDUs shall be so transferred to a building that has not paid the full Connection Fee for the first EDU as shown in Appendix D and the Fee Schedule.

C. EDU Transfer Fees shall be paid at the time the transfer is approved as a condition of the issuance of a Reissued Permit for the transferee building.

SECTION 6 - PROHIBITED DISCHARGES

6.1 Prohibited Substances:

A. It shall be a violation of these Rules and Regulations, and of any Permit issued by the Authority, for any person or entity to release, attempt to release, or cause or allow to be released, into the Sewer System, whether by intentional act or omission, or by negligent act or omission, any substance:
   1. In an amount, or of a nature, prohibited by Appendix C.
   2. Which in the opinion of the Authority could have an adverse effect on the Sewer System either individually or when combined with other substances.
   3. Not allowed by Permit.
   4. Not allowed by Federal, State or County law.
   5. These are referred to as Prohibited Substances.

B. Every Property Owner, including without limitation the owner of a property for which the Authority owns and/or is responsible to maintain the Service Lateral, shall be responsible for any discharge of a Prohibited Substance into the Sewer System coming from any building owned by them. Further, if the Prohibited Discharge comes from a use or activity, Residential or Commercial, conducted in the building by a person other than the Property Owner, then that person, referred to as a User, shall be jointly and severally responsible with the Property Owner, and the Authority may have recourse against either or both.

C. If the Authority becomes aware of the release into the Sewer System of a prohibited substance from a particular building, it may issue a violation notice and proceed as provided by Section 8.1 However, if in the sole opinion of the Authority, the release requires immediate action to prevent or minimize the risk of injury to person or property, including damage to the treatment plant, the Authority may take such steps as are reasonably necessary to prevent or minimize such injury or damage, including the immediate disconnection of the offending building from the Sewer System. The Property Owner of any building from which the release emanated shall be responsible to the Authority for the cost of repair of any damage to the Sewer System, and for any costs incurred by the Authority in attempting to prevent or minimize damage caused by the release, which shall be billed as a Remediation Fee.

D. Blockages:
   1. It shall be a violation of these Rules and Regulations, and of any Permit issued by the Authority, for any person or entity to place or allow to be placed in the Sewer System anything that causes a blockage of the flow of liquid waste within the Sewer System, including the Service Lateral.
   2. If such blockage is repaired by the Authority, a Remediation Fee shall be charged to the Property Owner of the offending building whether the blockage occurs on or off the owner's property.

E. Waivers:
   1. Upon written application of a Property Owner, and proof satisfactory to the Authority that a Prohibited Substance may be released into the Sewer System without harm, the Authority may waive any requirement of Section 6.1 Paragraph A.
   2. As a condition of such a waiver, the Authority may impose such conditions as it deems appropriate.

SECTION 7 - BILLING AND PAYMENT

7.1 Billing date:

A. All bills for Sewer Fees shall be rendered quarterly by the Treasurer of Rappahannock County on behalf of the Authority, on the first business day of each quarter.

B. The bill rendered shall cover the immediately preceding complete calendar quarter and shall include all amounts owed to the Authority, including penalty and interest.

C. The four (4) calendar quarters shall be designated as follows:
   1. January 1st through March 31st (Third fiscal quarter).
   2. April 1st through June 30th (Fourth fiscal quarter).
   3. July 1st through September 30th (First fiscal quarter).
   4. October 1st through December 31st (Second fiscal quarter).

7.2 Due Date:

A. All such quarterly bills shall be due before the first day of the month following the month in which the bill is rendered.

B. Payment made or mailed and postmarked on or before the last day of the month in which the bill is rendered shall be deemed timely made.

C. A bill not paid by the last day of the month in which the bill is rendered shall be delinquent.

7.3 Penalty:

A. If the net bill is not paid by the due date, a penalty of 10% shall be added to such net bill, which net bill plus the 10% penalty shall constitute the gross bill.

B. The 10% penalty shall be charged only once per delinquent quarter.

7.4 Interest:

A. Interest at the rate of 10% annually, or such other maximum amount as may be hereafter allowed by §15.2-105 of the Code of Virginia, beginning the first day following the day the bill is due, shall be collected upon the gross bill.

B. Interest shall be assessed upon the gross bill at a daily rate.

C. Interest shall be prorated to the date of payment.

D. Interest shall not be calculated on interest.

7.5 Allocation of Partial Payments:

A. When any partial payment is made it shall be allocated first to the most delinquent bill, and then from the oldest to the most recent bill.

B. As to any one bill, a payment shall be allocated first to interest, then to the gross bill.

7.6 Termination of Service for Non-Payment:

A. If the gross bill plus any accumulated interest is not paid within 30 days after it becomes due, the Authority may cease supplying sewer services to the building.

7.7 Liens:

A. Any delinquent Sewer Fees and charges, plus penalty and interest, may be enforced by filing a lien with the Clerk of the Circuit Court for Rappahannock County on the real property where the service was provided and proceeding by judicial sale as provided in Virginia Code § 58.1-3965, et seq.

B. Any such lien shall rank on a parity with a lien for unpaid real estate taxes.

C. The amount of the lien will be for all delinquent Sewer Fees, plus interest, plus actual reasonable attorney fees and other costs of collection, plus 10% penalty.

D. If the amount of such lien is paid in full, the Authority shall deliver a fully executed lien release substantially in the form set forth in §15.2-2119 L. of the Code of Virginia to the person making payment within 10 business days. It shall be the responsibility of the person who receives a fully executed lien release from the Authority to release the lien in the office of the Clerk of the Circuit Court.

E. The Treasurer of Rappahannock County is authorized to file and enforce liens on behalf of the Authority.

7.8 Notices to Property Owner:

A. Each Property Owner of a building that is connected to the Sewer System shall provide this Authority with and thereafter shall keep this Authority advised of their correct mailing and email addresses and telephone number.

B. Failure of any person to receive any bill for Sewer Fees shall not be considered an excuse for non-payment, nor shall such failure result in an extension of the time during which the gross bill shall be payable, unless same occurs through the fault of the Authority or the County Treasurer.

C. A mailing to the wrong address shall not be considered the fault of the Authority or the County Treasurer if the Property Owner fails to inform the Authority of their correct address.

D. In communicating by mail with a Property Owner to whom a Permit has been issued, whether for billing or other purposes, the Authority and the County Treasurer may rely upon the mailing address in the Authority's database.

E. If it comes to the attention of the Authority that ownership of the property has changed so that the mailing address shown in the Permit is no longer valid, the Authority and the County Treasurer may use the property address for the new Property Owner maintained by the County of Rappahannock for real estate tax purposes.

SECTION 8 - VIOLATIONS

8.1 Termination of Service:

A. Unless specifically provided otherwise in these Rules and Regulations, non-payment, violation of the terms and conditions of any Permit or of these Rules and Regulations, or of any State or Federal law regulating the Sewer System, will allow the Authority to revoke a Permit, if one has been issued, and/or terminate service to the subject property if the violation is not corrected within 30 days of the date of posting of a notice of violation to the Property Owner at the Mailing Address specified in Section 7.9.

B. A Disconnection/Reconnection Fee is due prior to the property being reconnected to the Sewer System.

C. Nothing in this Section 8.1 shall prevent service from being immediately terminated in the case of an emergency as referred to in Section 6.1 Paragraph C.

D. Termination of service may require entry onto private property to physically disconnect a building, tank, pump or pipes from the Sewer System, to which entry the Property Owner consents by accepting a Permit.

E. In the event service is terminated under Section 8.1 to a property that is subject to the Mandatory Connection rule, the Authority may proceed to obtain an injunction requiring reconnection to the Sewer System be made in accordance with law, and may recover in such action its reasonable legal fees and costs expended, and may also recover all Sewer Fees owed at the time of termination of service.

SECTION 9 - MISCELLANEOUS

9.1 Indemnification:

A. The property owner, and/or the user, of any building connected to the Sewer System shall defend, indemnify and hold harmless the County of Rappahannock, the Authority, their members, agents and employees, as to any and all liability, claims, demands, damages, costs, attorney's fees and all other expenses allegedly or actually caused by the discharge from that building into the Sewer System of waste of a type and/or quantity not permitted by these Rules, State or Federal law, or by the applicable Permit.

9.2 Liability of Sewer Authority for System Malfunctions:

A. Interruption in sewer service to a building shall result in a pro-ration of the Service Fee for such portion of time as the service is shut off; provided, such interruption is not the fault of the Property Owner or someone using the building with the Property Owner's consent.

B. No person shall have any right to any damages or reimbursement from the Authority as a result of any failure, malfunction or interruption in sewer service.

9.3 Severability:

A. In the event any portion of these Rules and Regulations is declared by any Court to be unenforceable, unconstitutional, illegal (or otherwise unlawful), or outside of statutory authority, such portion shall be severed from the remainder of the Rules and Regulations, and the remaining portions of the Rules and Regulations shall remain in full force and effect.

9.4 Legal Actions by Authority:

A. In the event the Authority must take action in a court of law against a Property Owner, or against any user of the Sewer System, to enforce any provision of these Rules and Regulations, or of any State or Federal law applying to the Sewer

System, or it takes action against any person who damages the Sewer System, and the Authority substantially prevails, it shall be entitled to also recover it attorney's fees, expenses and costs.

9.5 Tampering with Sewer System:

A. Any unauthorized connection, attempt to connect, diverting or tampering with the Sewer System is unauthorized and may subject a violator to criminal prosecution under §18.2-162 (damage to sewer and wastewater facility) and/or §18.2-162.1 (diverting wastewater line) of the Code of Virginia.

9.6 Notice to Authority:

A. Before beginning any changes, modifications, repairs or replacement to a Service Lateral, the Property Owner shall inform the Authority of the proposed work, and the Authority shall have the right to inspect same for compliance with these Rules and Regulations, and to charge the appropriate Inspection Fee.

B. A Property Owner or user of the Sewer System shall notify the Authority within 24 hours of discovery of any interruption of service or malfunction. Notice to the Authority shall be given to the Plant Manager via phone, email, or hand delivered mail.

9.7 Pre-Treatment:

A. Whenever facilities or equipment for preliminary treatment (pre-treatment) and handling of wastes are required by any Permit, such facilities shall be maintained continuously, at the expense of the Property Owner, in satisfactory operating condition; and the Authority shall have access to such facilities at reasonable times for purposes of inspection and testing.

B. Failure of a Property Owner to comply with this provision shall be grounds to revoke a Permit.

SECTION 10 - APPENDICES

Appendix A - Application For Service (2 pages)

Appendix B - Permit to Connect To Sewer System (3 pages)

Appendix C - Prohibited Discharges into The Sewer System (2 Pages)

Appendix D - List of EDUs Assigned To Specific Uses (3 Pages)

Appendix E - By-Laws (3 Pages)

Appendix F - COVID Emergency Resolution (5 Pages)

Appendix G – New Owner Intake Form (1 Page)

END

Appendix A

RAPPAHANNOCK COUNTY WATER & SEWER AUTHORITY

APPLICATION FOR SERVICE BY SPERRYVILLE SEWAGE FACILITY

NOTE: A site plan and building plans, including detailed plans or drawings for all components connecting any building to the sewer system, must accompany this application.

NOTE: An Application Fee must accompany this application.

Owner Information

1. Name of Property Owner: _____
2. Mailing Address of Property Owner: _____
3. Email Address of Property Owner: _____
4. Telephone Number of Property Owner: _____

Property Location and Description

5. Tax Map Reference Number: _____ Parcel Number: _____
6. Date of Acquisition: _____ Former Owner: _____
7. Deed/Will Book: _____ Page: _____
8. State Route Number (If applicable): _____
9. Is Property served by right-of-way: Yes: _____ No: _____

Structures and Use

10. For any new or existing structure on the Property that will be served, depict the structure(s) on the site plan and describe the structure(s) in detail. _____

    _____

11. Indicate the proposed use of each existing or new structure: Residential: _____

    Commercial: _____

12. If residential, how many bathrooms will the structure(s) contain? _____
13. If commercial, describe the proposed commercial use(s) and each source of wastewater, including bathrooms and other operations: _____

_____

(attach additional pages as necessary)

Signature of Property Owner/Applicant/Representative

_____

`

Print Name and Title (if signing as a representative of Property Owner):

_____

Date: _____

Appendix B

PERMIT TO CONNECT TO SEWER SYSTEM

Date of Issuance:

Parcel Tax Map Number:

Property Owner/Permit Holder:

Street Address:

Mailing Address:

Email Address:

Telephone:

EDUs Authorized:

Building to Which Service Provided:

This permit authorizes the Property Owner to connect, at their own expense, the building referred to above, which is located on the land identified by the above-referenced Tax Map Number, to the Sewer System, and to discharge into the Sewer System the number of EDUs shown. This Permit is subject to the Rules and Regulations of the Authority, as well as to the terms and conditions attached hereto and made a part hereof, and Federal and State law regulating the operation of the Sewer System.

Violation of these terms and conditions, or of the Rules and Regulations of the Authority, or of any State or Federal law regulating the Sewer System, will allow the Authority to revoke this Permit and terminate service to the subject property if the violation is not corrected within 30 days of the date of posting

of a notice of violation to the Property Owner at the Mailing Address shown above. A Reconnection Fee is due before the property may be reconnected to the Sewer System.

This Permit shall run with the land and apply to all future owners of the property, but is not transferrable to another property or building without prior consent of the Authority.

By accepting this permit, the Property Owner consents to members, agents and employees of the Authority coming upon the subject property for purposes of inspection, testing or repairs, or to disconnect the building from the Sewer System if this Permit, the Rules and Regulations of the Authority (including non-payment of Sewer Fees), or State or Federal law regulating the Sewer System, are violated.

In granting this Permit, the Authority has relied on representations of the Property Owner as to the nature and quantity of wastewater to be discharged into the Sewer System. The Authority has the right to modify or revoke this Permit and/or to charge additional Connection Fees, Service Fees or Surcharges if any building covered by this Permit discharges into the Sewer System wastewater of a type different than, or in a quantity in excess of, what is allowed by this Permit.

RAPPAHANNOCK COUNTY WATER & SEWER AUTHORITY

BY: _____

I/We agree to the terms of this Permit

Property Owner: _____

_____

APPENDIX C - PROHIBITED DISCHARGES

1.1 NO PERSON SHALL DISCHARGE, ATTEMPT TO DISCHARGE, OR CAUSE OR ALLOW TO BE DISCHARGED INTO THE SEWER SYSTEM, WHETHER BY INTENTIONAL ACT OR OMISSION OR BY NEGLIGENT ACT OR OMISSION ANY OF THE FOLLOWING:

A. Stormwater, surface water, spring water, groundwater, roof run-off, sub-surface drainage, building foundation drainage, cellar or basement drainage, or drainage from roof leader connections.

B. Gasoline, benzine, naphtha, fuel oil, petroleum distillate, non-biodegradable cutting oil, products of mineral oil, kerosene, paint or other flammable or explosive liquid, solid, or gas.

C. Any substance sufficient to cause a hazard in the operation of the Sewer System, or which may result in an effluent discharge from the Sewage Treatment Plant unacceptable to any governmental agency having jurisdiction, or which may create a danger to the public, or which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life or prevent entry into the Sewer System for maintenance and repair, or which results in the presence of toxic gases, vapors, or fumes within the Sewer System.

D. Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, fur, plastics, wood, paunch manure, butcher's offal, hair or any other solids or viscous substance capable of causing obstruction to the flow in the Sewer System or interference with its proper operation.

E. Waters or waste containing radioactive isotopes.

F. Any substance which causes the Sewage Treatment Plant to violate any permit or Authorization to Discharge issued by the Commonwealth of Virginia.

G. Liquids having a pH of less than 6.0, or more than 9.0, or found to be excessively corrosive.

H. Water or waste having a 5-day 20 degree centigrade Bio-chemical Oxygen Demand (B.O.D.) in excess of 400 mg/l.

I. Water or waste having a suspended solids content in excess of 400 mg/l.

J. Water or waste having a total solids content in excess of 1,100 mg/l.

K. Water or waste having a temperature higher than 150 degrees Fahrenheit or less than 32 degrees Fahrenheit, or a combination of temperature and quantity of flow such that it causes the influent temperature at the treatment plant to be above 40 degrees centigrade (104 degrees Fahrenheit).

L. Substances which create a fire or explosion hazard in the Sewer System, including, but not limited to, waste streams with a closed cup flashpoint of less than 140°F or 60°C using the test methods specified in 40 CFR 261.21.

M. Water or waste containing more than 100 mg/l by weight of fats, oils or greases.

N. Water or waste containing unground garbage.

O. Water or waste having a chlorine demand in excess of 12 mg/l.

P. Water or wastes which are not amenable to treatment at, or which may disrupt the operation of, the Sewage Treatment Plant, specifically non-biodegradable complex carbon compounds, synthetic organic detergents or similar.

Q. Water or waste listed in the U.S. Environmental Protection Agency Industrial Waste Pretreatment requirements as published in the Code of Federal Regulations in a concentration greater than that listed in the latest revision of those regulations, or containing any wastes which meet the definition of hazardous or toxic wastes as defined by the Department of Environmental Quality or the Environmental Protection Agency.

R. Any trucked or hauled substance, except at discharge points designated by the Sewer System.

S. Water or waste which includes the following substances that exceed the following limits:
   1. Cadmium (Cd): .1 mg/l.
   2. Chlorides: 250.0 mg/l.
   3. Chromium (Cr + CR+6): .5 mg/l.
   4. Chromium (Cr+6): .1 mg/l.
   5. Copper (Cu): .5 mg/l.
   6. Cyanide (Cn): .5 mg/l.
   7. Iron (Fe): 10.0 mg/l.
   8. Lead (Pb): .5 mg/l.
   9. Mercury (Hg): .01 mg/l.
   10. Nickel (Ni): .5 mg/l.
   11. Nitrogen (total): 80.0 mg/l.
   12. Phenols (C6H50H): 1.0 mg/l.
   13. Phosphorous: 10.0 mg/l.
   14. Zinc (Zn): 1.0 mg/l.

END

Appendix D: List of EDUs Assigned to Specific Uses

(Originally adopted as Appendix F to RCWSA Rules and Regulations on April 14, 2022; revised and adopted as Appendix D to RCWSA Rules and Regulations after public notice and hearing on June 12, 2025)

Every account shall be assigned and required to obtain from RCWSA a minimum of one Equivalent Dwelling Unit (EDU). Additional EDUs may be required in accordance with this Appendix. EDU assessments are derived from a combination of methods which may include an analysis of use, effluent quality, and occupancy (both volume and duration), hours of operation and any other information relevant to determining the impact of a use on the operation of the Sperryville sewage collection and treatment system. All accounts' EDU assessments are subject to review at the discretion of the RCWSA to adjust for change of use, building additions, characteristics of wastewater generated, etc.

A. RESIDENTIAL BUILDINGS

Each residential dwelling will be assigned one Equivalent Dwelling Unit (EDU). A dwelling is any room, group of rooms, house trailer, or other enclosure occupied as separate living quarters by a family or group of people, or by a single person.

Each dwelling in a double house, connected houses, apartment building or condominium shall be assigned one EDU. If two or more families use separate cooking and/or toilet facilities in a building, each family unit will be treated as a separate unit for the purpose of determining EDU allocation for the building.

B. COMMERCIAL BUILDINGS

a. Hotel or Motel, Retreat, Resort, Bed & Breakfast, Tourist Home, Guest House, or other structure with short-term rental rooms (30 days or less). Rentals longer than 30-days are considered residential per section A.

One EDU per two rental units, one-half EDU for each additional unit over two.

b. Restaurant

Two EDUs up to 20 seats, 1 additional EDU per additional 20 seats or fraction thereof. For the purposes of this calculation, a standing table counts as three seats, a standard sized picnic table shall be counted as 4 seats, and all outside seats are assessed at one-half the seat count.

c. Buildings not otherwise covered in this Appendix.

One EDU per 100 or fewer potential occupants, and one EDU per each additional 100 or fewer potential occupants, as determined by maximum building occupancy rate allowed by the Fire Marshal or equivalent Rappahannock County official.

One additional EDU for kitchen facilities.

d. Gas Station/Service Station/Charging Station with public restroom

Three EDUs up to two pumps/four nozzles, one EDU for each additional pump. One EDU up to ten charging outlets

Gas Station/Service Station/Charging Station without public restroom: One EDU

e Automobile Repair Shop or Garage

One and one-half EDUs for up to two bays without retail. One EDU for each additional bay. One additional EDU for retail sales

f Occupancy-based occasional-use Facilities, e.g., Wedding or Concert venues, Conference Centers

Two EDUs up to 100 potential occupants, and one EDU per each additional 50 potential occupants, as determined by maximum building occupancy rates allowed by the Fire Marshal or equivalent Rappahannock County official. One additional EDU for kitchen facilities.

g. Outdoor Sports or Entertainment Facilities

One EDU

h. Gym/Fitness Studio/Yoga Studio/Dance Studio/Music Studio/Performing Arts Studio

Two EDUs up to 50 potential occupants per maximum occupancy rates, one EDU per 25 additional occupants or fraction thereof, as determined by maximum building occupancy rates allowed by the Fire Marshal or equivalent Rappahannock County official.

i. Barber / Hair Salon Massage Studio/Tattoo Parlor/Spa

One EDU per up to two chairs or tables; ½ EDU per each additional chair or table.

j. Laundromat

One EDU per washer

k. Funeral Home

Three EDUs

l. Commercial / Office / Retail / Museum or similar uses

For commercial EDU assessments, a full-time equivalent (FTE) employee is defined as one employee who works for 40 hours per week and the total FTE

for a use is calculated by totaling weekly employee hours and dividing by 40. One EDU up to two FTEs with no public toilet facilities, one EDU for each additional four FTEs or fraction thereof. The final calculation of FTEs shall be rounded up to the nearest whole number.

One additional EDU for public toilet facilities.

m. Single Occupant Offices or Retail with less than 0.5 FTE annual added to existing uses.

One-quarter (0.25) EDU per office or retail space

n. Schools

One EDU, up to 25 occupants, no cafeteria, one additional EDU per additional 25 students or fraction thereof. Two EDUs, up to 25 occupants, with cafeteria, one additional EDU per additional 25 students or fraction thereof

o. Car Wash

Two EDUs up to two bays, one EDU per each additional bay

p. Brewery (production; exclusive of retail sales)

Two EDUs for the first 7500 gallons per year, one EDU for each additional 3750 gallons or fraction thereof per year. In a mixed-use building, one EDU up to 3750 gallons per year; one EDU for every additional 3750 gallons or fraction thereof per year.

q. Winery/Cidery (production; exclusive of retail sales)

Two EDUs for the first 7500 gallons per year, one EDU for each additional 3750 gallons or fraction thereof per year. In a mixed-use building, one EDU up to 3750 gallons per year; one EDU for every additional 3750 gallons or fraction thereof per year.

r. Distillery (production; exclusive of retail sales)

Two EDUs for the first 4300 proof gallons or fraction thereof per year; one EDU for every additional 2150 gallons or fraction thereof per year.

s. Retail Alcoholic Beverage Sales: Beer Gardens / Beer Halls / Cideries / Tasting Rooms

One EDU up to 30 seats if open more than 20 hours per week on average; one EDU per 50 seats if open less than 20 hours per week on average For the purposes of this calculation, a standing table counts as three seats, a standard sized picnic table shall be counted as 4 seats, and all outside seats are assessed at one-half the seat count.

t. Art Studios

One EDU per studio

u. MIXED USE BUILDINGS. Buildings containing multiple dwellings, multiple non-residential uses, or a mixture of dwellings and non-residential uses shall be assessed EDUs as if each use and dwelling is a separate stand-alone use.

v. ALL OTHER USES. EDUs for discharges from uses not specified above shall be determined by the Authority based upon comparable uses specified above and other information relevant to determining the impact of the use on the operation of the Sperryville sewage collection and treatment system.

Effective on the Date Approved by RCWSA Board

Date Approved _June 12, 2025

APPENDIX E

By-Laws of the Rappahannock County Water & Sewer Authority

(amended effective May 1, 2025)

MEETINGS

1. The Authority shall conduct a regular monthly meeting ("regular meeting") on the second Thursday of each calendar month. These regular meetings shall begin at 5:30 PM and be held at the headquarters of the Sperryville Volunteer Rescue Squad, 12 Main Street, Sperryville, Virginia ("Rescue Squad"), except as provided below.

2. All meetings shall be chaired by the Chair, or in his/her absence, the Vice-Chair, or in his/her absence, the Secretary.

3. In the event the aforesaid regular meeting date falls on a State holiday, said regular meeting shall be held on the following Thursday at 5:30 PM at the Rescue Squad.

4. If an Act of God or other unexpected event prevents a regular meeting from being held, or a quorum of Members cannot attend, the meeting shall be held at the time and place indicated in paragraph 3.

5. If a quorum is present for a regular meeting, but the Rescue Squad is unavailable for the meeting, the Chair may determine that the meeting will be held at an alternate location that is accessible to the public, and a notice to that effect shall be posted at the Rescue Squad door stating where the meeting will be held, which shall be at 5:45 PM. If a suitable location for the meeting cannot then be found, the notice shall state the new date, time and place for the meeting, and this shall be communicated to the County Administrator.

6. A meeting, regular or special, may be continued from time to time by vote of a majority of a quorum without the necessity of giving further notice as long as the time and place of the continued meeting are announced at the time of the vote; provided that no meeting shall be continued to a date after the next regular meeting.

7. Special meetings may be called by the Chair by giving three days' notice to all Members; provided that the three-day period may be waived for a specific meeting by agreement of the rest of the Members. Notice of the time, place and purpose of the special meeting shall be, if possible, posted three days in advance at the Rescue Squad door, filed with the County Administrator, and provided to the Rappahannock News.

8. Any notice required by these By-Laws, or by the Code of Virginia, may be given in person, by telephone, in writing, by electronic transmission, or by any other effective method. Posting at the Rescue Squad door shall mean posting on or near the door that opens to the upper parking area behind the building.

9. Participation of Board Members from remote locations, and determination of a quorum, will be in accordance with the RCWSA's "Policy on Members' Remote Participation in Meetings of the Board of Directors," as adopted by the Board on July 11, 2024 pursuant to Code of Virginia § 2.2-3708.3 as amended March 8, 2024 (regarding meetings held through electronic communications means in situations other than declared states of emergency). Pursuant to Code of Virginia § 2.2-3708.3.D, the Board will review and, as appropriate, re-adopt this policy annually.

MEMBERS

10. The Board of the Authority shall have five members appointed by the Board of Supervisors, each to serve a term of four years. The four-year terms shall be staggered as shown in the Articles of Incorporation. However, a member shall continue to hold his/her office until a successor has been appointed. Members may succeed themselves.

OFFICERS

11. At the regular August meeting, the members of the Authority shall elect officers to serve until the next August regular meeting; provided, an officer shall keep his/her position until a successor is elected. The officers shall include a Chair, a Vice-Chair to act in the absence of the Chairman, a Secretary, and a Treasurer. The Secretary and the Treasurer may be the same person, and do not need to be members of the Board of the Authority. Officers may succeed themselves.

VOTING

12. Voting on matters that come before the Authority shall be made in open session at a public meeting by voice vote. The names of the persons making the motion,

seconding it and voting Aye or Nay shall be recorded in the minutes, except for motions to adjourn. To be voted upon, a motion must be made and seconded. The Chairman may declare that a motion has died for lack of a second. The affirmative vote of three members shall be required for any action taken by the Authority, except the approval by a majority of a quorum is all that is required to continue a meeting to another date. A quorum shall consist of three members. A motion shall fail on a tie vote.

AGENDA

13. An agenda shall be prepared by the Chairman prior to any regular or special meeting. Copies shall be provided to the other members, the attorney for the Authority and to the County Administrator's office for posting to Board Docs, at least three days in advance of the meeting, if possible. Any member, or the attorney for the Authority, may request an item be placed on the agenda up until 9:00 AM of the day of the meeting. Notice of any item added to the agenda before the meeting and after the original agenda was circulated, shall be provided to all members of the board and also to the County Administrator's office for posting to Board Docs.

14. At the meeting, items may be added to the agenda by vote of a majority of a quorum; however, no action may be taken on such an added item unless by unanimous vote of those present at the meeting. If such a unanimous vote does not occur, the item shall be placed on the agenda for the next regular meeting, when it shall be considered in regular order.

MINUTES

15. The Secretary, or some person designated by him/her, shall prepare minutes of each meeting of the Authority, a copy of which shall be provided to each member by no later than fourteen days after the meeting.

SPECIAL RESOLUTIONS

COVID Emergency Resolution: See Attachment A-1

APPROVAL OF BY-LAWS

These By-Laws were adopted and approved by vote of the Board of Directors, Rappahannock County Water & Sewer Authority, on April 10, 2025.

_____
Robert Trafton
Acting Secretary

Appendix F

RAPPAHANNOCK COUNTY WATER & SEWER AUTHORITY

RESOLUTION

AUTHORIZING THE ADOPTION OF PROCEDURES FOR ELECTRONIC PUBLIC MEETINGS AND PUBLIC HEARINGS TO ENSURE THE CONTINUITY OF GOVERNMENT DURING THE COVID-19 PANDEMIC DISASTER

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive "any state requirement or regulation" as appropriate; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on March 17, 2020, the Director of Emergency Management of Rappahannock County made a declaration of local emergency (the "Emergency Declaration"), specifically finding that the COVID-19 Pandemic constitutes a "disaster" as defined in

Virginia Code § 44-146.16, being a "communicable disease of public health threat"; and

WHEREAS, the Board (the "Board") of the Rappahannock County Water & Sewer Authority (the "Authority") hereby adopts an Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster ("Emergency Resolution"); and

WHEREAS, through this Emergency Resolution, the Board specifically finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code § 44-146.16 being a "communicable disease of public health threat" and

WHEREAS, through this Emergency Resolution, the Board further finds that the COVID-19 pandemic makes it unsafe to assemble in one location a quorum of the Board and to conduct meetings in accordance with normal practices and procedures; and

WHEREAS, through this Emergency Resolution, the Board adopts certain procedures to ensure the continuity of the purpose and functions of the Board and the Authority during the COVID19 Pandemic disaster ("Continuity Procedures"), suspended any deadlines applicable to the Rules and Regulations of the Board and its staff during the COVID-19 disaster, and

WHEREAS, the Authority, being a public entity created by the Rappahannock County Board of Supervisors pursuant to Virginia Code § 15.2-5103 and § 15.2-5110 intends to adopt this Emergency Resolution to continue its purpose and projects for which the Authority was created; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby incorporates by reference and adopts all Continuity Procedures prescribed in the attached document; and

BE IT FURTHER RESOLVED that the Board hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to implement such Continuity Procedures and to develop any specific procedures as applicable and appropriate for the Authority provided that such specific procedures are consistent with the terms and conditions of this Emergency Resolution; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and shall remain in effect during the pendency of the Emergency Declaration including for any applicable period upon the renewal of the Emergency Declaration by the Director of Emergency Management of Rappahannock County.

ADOPTED by the Board of the Rappahannock County Water & Sewer Authority by a unanimous vote of all members at its regular meeting on April 9th 2020.

APPROVED

DocuSigned by:
82BE42C26312446...

4/9/2020

_____

Alexander Sharp, Chairman

ATTEST:

DocuSigned by:
7ED402F23EA446F...

4/9/2020

Printed Name: Cheri F Woodard

Title: Secretary

[Attachment to Emergency Resolution]

CONTINUITY PROCEDURES

EMERGENCY PROCEDURES TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER.

1. The COVID-19 pandemic makes it unsafe to assemble in one location a quorum for the Board (the "Board") of the Rappahannock County Water & Sewer Authority or for the Board to conduct meetings in accordance with normal practices and procedures.
2. That in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of government during this emergency and disaster:
   a. Any meeting or activities which require the physical presence of members of the Board may be held through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location; and
   b. Prior to holding any such electronic meeting, the Public Entity shall provide public notice of at least 3 days in advance of the electronic meeting by notifying the Rappahannock County Administrator and advertisement in the Rappahannock News if said advertisement is possible during the emergency, identifying how the public may participate or otherwise offer comment; and
   c. Any such electronic meeting the Board shall state on its agenda and at the beginning of such meeting that it is being held pursuant to and in compliance with the Continuity Procedures; identify Board members members physically and/or electronically present; identify the persons responsible for receiving public comment; and identify notice of the opportunities for the public to access and participate in such electronic meeting; and
   d. Any such electronic meeting of the Board shall be open to electronic participation by the public and closed to in-person participation by the public; and

e. Votes taken during the meeting must be taken by roll call, individually recording each member's name and vote; and

f. For any matters requiring a public hearing, public comment may be solicited by electronic means in advance and shall also be solicited through telephonic or other electronic means during the course of the electronic meeting. All such public comments will be provided to members of the Board at or before the electronic meeting and made part of the record for such meeting; and

g. The minutes of all electronic meeting shall conform to the requirements of law, identify how the meeting was conducted, members participating, and specify what actions were taken at the meeting. The Board may approve minutes of an electronic meeting at a subsequent electronic meeting and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended. All such electronic minutes shall be provided to the Rappahannock County Administrator if possible.

Appendix G

New Owner Intake Form

Existing User Account Number _____

Existing EDUs_____ New EDUs_____

Tax Map Reference Number _____ Parcel Number _____

Date of Acquisition _____

New Owner(s) _____

Former Owner(s) _____

Deed/Will Book _____ Page _____ or Instrument Number _____

Physical Address

_____

Mailing Address

_____

Email Address

_____

Phone Numbers

Home _____ Cell _____ Work _____

Will this property be owner inhabited? _____ Yes _____ No

What method do you prefer to receive your sewer bill? _____Mail _____Email

Are there existing structures on the property? If yes, describe, including number of bathrooms, washers and kitchens

_____

Will business or commercial uses be involved? _____ Yes _____ No

Describe Type of Business Use(s)_____

I acknowledge that the above information is correct and that I will notify the Authority if any of the above information should change. I understand that all users are subject to the Rules and Regulations of the RCWSA, a link to the R&R can be found here: http://rappahannockcountyva.gov/documents/RCWSA_Rules%20%20Regulations_updated%203_11_2021.pdf

_____ _____

Date Property Owner Name (Printed)

_____ _____

Property Owner Name (Printed) Property Owner (Signature)