

MONTMORENCI-COUGHTON WATER & SEWER DISTRICT, INC.

PLEASE VISIT OUR WEBSITE: WWW.MONTMORENCICOUGHTONWATER.COM

POLICIES

(REVISED MARCH 1, 2022)

1. All bills are due and payable when received. Bills not paid by the 20th will be assessed a 10 % late fee. If payment is not received by the 25th, accounts will be added to a "lock list". At this point a \$20.00 non-payment fee will be added, regardless of disconnect. The office will be open from 8:00 A.M. to 5:00 P.M. on the day meters are locked. Bills not paid by 5:00 P.M. on this day will remain locked until bill is paid. Meters will be unlocked after 5:00 P.M. on lock day at an additional charge of \$75.00.
2. Anyone issuing a "bad" check to this office will have to pay cash for the returned check and \$30.00 plus \$5.00 for the bank fee charge. Returned checks held in the office over 10 days will result in the meter being locked. An additional \$20.00 non-payment fee must be paid before water will be restored.
3. This office is not responsible for calling customers if their bill has not been paid. It is the responsibility of the customer to pay the balance on his/her account. We cannot be responsible for any errors made by the Postal Service. If you have not received your bill by the 6th of the month, please call the office at 803-648-9920.
4. Office hours:

Monday through Friday 8:00 A.M. to 5:00 P.M.

In case of emergency after regular office hours please call 803-648-9920, you will be connected to the service technician on call.

When service technicians are called out, and the emergency is pertaining to the customer's water lines, a \$75.00 service charge will be added to the customer's account.

WATER RATES
EFFECTIVE MARCH 1, 2022

RESIDENTIAL

FIRST	2,000 GALLONS	\$21.25 (MINIMUM CHARGE)
NEXT	3,000 GALLONS	6.36 PER THOUSAND
NEXT	5,000 GALLONS	6.68 PER THOUSAND
NEXT	15,000 GALLONS	6.94 PER THOUSAND
OVER	25,000 GALLONS	7.10 PER THOUSAND

MULTIPLE CONNECTIONS – MINIMUM BILL \$21.25 PER CONNECTION PLUS RATES FOR ALL OVER MINIMUM USAGE.

COMMERCIAL

FIRST	2,000 GALLONS	\$30.50 (MINIMUM CHARGE)
NEXT	3,000 GALLONS	6.36 PER THOUSAND
NEXT	5,000 GALLONS	6.68 PER THOUSAND
NEXT	15,000 GALLONS	6.94 PER THOUSAND
OVER	25,000 GALLONS	7.10 PER THOUSAND

WELL DRILLERS

FIRST	2,000 GALLONS	\$45.00 (MINIMUM CHARGE)
PER	1,000 GALLONS	\$14.00 PER THOUSAND

S.C. METER TAMPERING LAW

An act to amend the code of laws for South Carolina, 1962, by adding Section 16-400 so as to make it unlawful to alter, tamper with or bypass electric, gas or water meters and provide for evidence thereof; and provide penalties for violations.

Be it enacted by the General Assembly of the State of South Carolina:
Section 1: The Code of Laws of South Carolina, 1962, is amended by adding:

"Section 16-400. It shall be unlawful for any person to alter, tamper with or bypass a meter which has been installed for the purpose of measuring the use of electricity or gas or water."

"Any meter found in a condition which would cause electricity or gas or water to be diverted from the recording apparatus of the meter or to cause such meter to inaccurately measure the use of electricity or gas or water or the attachment to a meter or distribution wire of any device, mechanism or wire which would permit the use of unmetered electricity or gas or water or would cause a meter to inaccurately measure the use thereof, shall be prima facie evidence that either the person in whose name such meter was installed or the person for whose benefit electricity or gas or water was diverted, caused the electricity or gas or water to be diverted from going through the meter or the meter to inaccurately measure the use of electricity or gas or water."

"Any person violating the provision of this section shall for the first offense be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount to not exceed \$100.00 or imprisoned for a term not exceeding 30 days and for a second or subsequent offense shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed \$10,000.00 or imprisoned for a term not to exceed 10 years, or both."

Section 2: This act shall take effect upon approval by the Governor.

THIS LAW WAS APPROVED BY: GOV. JAMES B. EDWARDS ON JUNE 18, 1976.

DRINKING WATER STANDARDS

The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that lead is a health concern at certain levels of exposure. There is currently a standard of .050 parts per million (ppm). Based on new health information, EPA is likely to lower this standard significantly.

Part of the purpose of this notice is to inform you of the potential adverse health effects of lead. This is being done even though your water may not be in violation of the current standard.

EPA and others are concerned about lead in drinking water. Too much lead in the human body can cause serious damage to the brain, kidneys, nervous system and red blood cells. The greatest risk, even with short-term exposure, is to young children and pregnant women.

Lead levels in your drinking water are likely to be highest:

- *If your home or water system has lead pipes
- *If your home has copper pipes with lead solder
- *If the home is less than five years old
- *If you have soft or acidic water
- *If water sits in the pipes for several hours

The Montmorenci-Couchton Water District has been notified by the Department of Health and Environmental Control (DHEC) of a violation of elevated levels in the drinking water. This level of lead has NOT BEEN FOUND IN THE WATER DISTRIBUTION SYSTEM, which consists of all plastic PVC pipe, but in the household water primarily due to lead joints in copper piping. The Water District installed a lime-feed system which DHEC feels will help the acidity of the water and will help remedy the high lead level. In order to reduce the lead content in the water in your home, follow these steps:

1. Any time the water in a particular faucet has not been used for six hours or longer, "flush" your cold water pipes by running the water until it becomes as cold as it will get.
2. Use only water from the cold water tap for drinking, cooking and especially making baby formula.

If you have any questions, please call the Montmorenci-Couchton Water District office at 803-648-9920.

**BY-LAWS
OF
MONTMORENCI-COUGHTON WATER & SEWER DISTRICT, INC.
AIKEN, SOUTH CAROLINA**

ARTICLE I

GENERAL

Section 1. NAME. The name of this Corporation shall be Montmorenci-Coughton Water & Sewer District, Inc.

Section 2. LOCATION. The principal offices of this corporation will be at Aiken County, State of South Carolina.

Section 3. SEAL. This Corporation shall possess a seal. The Secretary shall have custody of the seal and shall cause it to be impressed or affixed upon required documents. The seal shall have inscribed the name of the corporation and the year of its organization.

Section 4. FISCAL YEAR. The fiscal year of this Corporation shall be the same as the calendar year.

ARTICLE II

MEMBERSHIP
(USERS)

Section 1. Any occupant or person, including any body politic and/or corporate, holding property, having need of and reasonable accessibility to the services offered by the Corporation, may be a member of this Corporation by paying a tap fee and/or other required charges that will enable the member to become a "User" of the services provided by the corporation. Persons who become "Users" of the services provided, and who pay for such services in their own names, shall become voting members of the Corporation. A person may hold more than one tap and be responsible for the costs or the services provided for more than one family or residence, but they are still considered to be one member and shall be allowed one vote. The Board of Directors shall determine the eligibility of persons requesting services of the Corporation. Membership, or service, can be denied if the capacity of the Corporation's system is exhausted by the needs of its existing members, if the location of the requested service includes major extensions or changes, and if the person requesting the service should be served by a neighboring entity offering the same kind of services.

Section 2. A member ceases to be eligible to hold membership as provided in section 1, in case of death, in case of the sale of the property for which services are provided, in case of the transfer of the monetary obligations for the services provided and for violation of other rules and regulations that may be in force that are set by the Corporation, the county Government, the State Government, or the Federal Government.

Section 3. The "Meter Deposit" receipts shall serve as proof of membership, inasmuch as they indicate who the "User" is with the current financial responsibility to the Corporation. "Meter Deposits" with the latest date are considered to be held by the current member.

Section 4. No member shall be entitled to more than one vote at the meetings of the members. A member may be a multiple "User", be responsible for more than one tap or connection. Every member of this Corporation, upon paying the necessary Tap-on-fee, deposits and other required charges, agrees to sign the User Agreement Form and abide by these By-Laws and other regulations that are imposed by the corporation, or the County, or State Governments.

Section 5. In the event of the conveyance of the member's property, that is being served by the Corporation, the purchaser of that property upon payment of the required fees and charges due against that service is eligible to become a "User" of the services provided by the Corporation. In the event that a tap fee has been forfeited, the next member or "User" will be required to pay a tap fee as part of the required fees before receiving services offered by the Corporation.

ARTICLE III

MEETING OF MEMBERS

Section 1. The majority of the members present and voting at a meeting shall constitute a quorum.

Section 2. The annual meeting of the members of the Corporation shall be held at a location approved by the Board of Directors of the Corporation between January 1st and June 30th of each year. The notice of each annual meeting shall be mailed to each member at the last known address at least seven days before the meeting. No written notice shall be required to any member who has waived notice to such meeting. Such waiver of notice must be in writing and be on file in the Corporation's office. During the annual meeting, the Directors will be elected by the voting membership present, to fill all vacancies on the Board of Directors, pursuant to Article IV, Section 1, and will hold office until the next ensuing election or thereafter until their successors are elected and qualified. Such annual meeting shall be used to transact other business as may be properly brought before it. At such annual meetings, the President and the Secretary-Treasurer shall make detailed reports of the business affairs of the Corporation covering the preceding year.

Section 3. Special meetings of the members may be called at any time by the action of the Board of Directors upon five days written notice to each member. Members may waive such notice.

ARTICLE IV

DISTRICTS, DIRECTORS AND OFFICERS

Section 1. The Board of Directors of the Corporation shall consist of seven (7) members, a majority which shall be farmers or rural residents, and shall be members as defined in Article II. Six members of the Board of Directors shall reside in the respective area or district they each shall represent, and shall be nominated by a member residing in the area to be represented, and a second to such nomination must be made by a member residing in the same area to be represented, and shall be elected by the membership of the entire district. The remaining members of the Board of Directors shall be elected by the entire membership of the district.

In the event a director dies or resigns, or no longer resides within the area or district in which that director was elected, then and in any of such events, the remaining directors may elect a qualified successor director from the area or district in which the vacancy occurs, such successor director to serve until the next annual meeting at which time the office shall be filled by vote of the membership affected as otherwise provided by the By-Laws.

Section 2. For the purpose of the election of directors, the entire area served by the Montmorenci-Coughton Water and Sewer System shall be subdivided into six (6) districts as defined upon a map or system plan prepared by Williams Engineering dated February 5, 1985, as amended, hereby adopted and made a part and parcel of this Article of the By-Laws. The several areas delineated and defined for reference are as follows:

- District 1 – Coughton “A”
- District 2 – Coughton “B”
- District 3 – Montmorenci
- District 4 – Nicholson Village
- District 5 – Redds Branch
- District 6 – New Bridge

Section 3. A membership list or roster shall be maintained by the Secretary and staff containing appropriate information as to the names and area or district in which the members reside and shall provide the members with a copy thereof at least sixty (60) days prior to the annual meeting of the members. Those members whose names appear upon such list or roster shall be eligible to vote for candidates for Director at such annual meeting. It shall be the responsibility of each member to provide the Secretary of the Corporation proof of errors and omissions in such membership list or roster at least thirty (30) days prior to the annual meeting of the members.

Section 4. The term of office of each Director shall be for a period of three (3) years, and the Directors whose term shall have expired shall continue to serve until a successor shall have been elected in accordance with the By-Laws.

Section 5. The Board of Directors shall immediately, following the annual meeting, elect a President and Vice President from among themselves and Secretary and Treasurer (for Secretary-Treasurer) who need not be members of the Board of Directors. Each officer shall hold office until the next annual member's meeting and until the election by the Board and qualifications of his successor unless sooner terminated by death, resignation or for cause.

ARTICLE V

DUTIES OF DIRECTORS

Section 1. The Board of Directors, subject to restrictions of law, the articles of incorporation, or these By-Laws shall exercise all of the powers of the Corporation, and without prejudice to or limitation upon their general powers, it is hereby expressly provided that the Board of Directors shall have, and are hereby given, full power and authority, upon approval of the members of the Board by a majority vote at regular or special meetings, in respect to the matters as hereinafter set forth:

- a. To pass upon the qualifications of members, and to cause appropriate certificates of membership to be issued.
- b. To select and appoint all officers, agents and employees and removal of same for just cause, fix their compensation and pay for services, and prescribe their duties as may not be inconsistent with these By-Laws.
- c. To borrow from any source, money, goods, or services and to make and issue notes and other negotiable and transferable instruments and to do every act necessary to effectuate the same.
- d. To prescribe, adopt and amend, from time to time such equitable uniform rules and regulations as, in their discretion, may be deemed essential or convenient for the conduct of the business and affairs of the Corporation and the guidance and control of its officers and employees; and to prescribe adequate penalties for breach thereof.
- e. To order an annual audit of the books and accounts by a competent auditor or accountant. The report prepared by such person shall be submitted to the members at the annual meeting.
- f. To fix charges to be paid, the time of payment and manner of collection from each member for services rendered to him.
- g. To require all officers, agents and employees charged with responsibility for the custody of any of the funds of the Corporation to give adequate bonds, the cost thereof to be paid by the Corporation, and it shall be mandatory upon the Directors to so require.

- h. To select one or more Banks or Savings and Loan Associations, to act as depositories of the funds of the Corporation and to determine the manner of receiving, depositing and disbursing the funds of the Corporation and the form of checks and the person or persons by whom the same shall be signed, with the power to change such Banks or Savings and Loan associations and the person or persons signing such checks and the form thereof at will, except that no Bank or Savings and Loan association may be so designated unless such deposits are protected by an agency of the United States of America, such as the Federal Deposit Insurance Corporation or similar agency.
- i. To levy assessments against the membership of the Corporation and to enforce the collection of such assessments in the manner provided for enforcement of collection of monthly charges in Article VII, Section 4, hereto, by the forfeiture of delinquent memberships failing to pay such assessments within the time prescribed for payment, provided that prior to forfeiture, the Board must give the member at least thirty days written notice at the last address of the member on the books of the Corporation of its intention to forfeit the membership if assessment is not paid by a specified date.

ARTICLE VI

DUTIES OF OFFICERS

Section 1. DUTIES OF THE PRESIDENT. The President shall preside at all meetings of the Corporation and of the Board of Directors; shall call special meetings of the Board; shall perform such other duties as may be prescribed in these By-Laws or assigned to him by the Board of Directors; and shall sign such papers as he may be authorized or directed to sign by the Board of Directors.

Section 2. DUTIES OF THE VICE-PRESIDENT. The Vice-President shall act as aide to the President and shall perform the duties of the President in the absence or inability of the office to serve.

Section 3. DUTIES OF THE SECRETARY. The Secretary shall record the minutes of all meetings of the Corporation and of the Board of Directors. He shall sign, with the President, such other papers pertaining to the Corporation as he may be authorized or directed to do by the Board. He shall serve all notices by law and by these By-Laws and shall make a full report of all matters pertaining to this office to the members at the annual meeting. He shall keep the corporate seat and records of the Corporation. He shall keep a proper membership record. He shall perform such duties as may be delegated to him including the turnover to his successor all books and other property belonging to the Corporation that he may have in his possession.

Section 4. DUTIES OF TREASURER. The treasurer shall receive all monies of the Corporation; shall keep an accurate record of receipts and expenditures; and shall pay out funds as authorized by the Corporation. The Treasurer shall present a financial statement at every meeting of the Board of Directors and at other times when requested by the Board and shall make a full report at the annual meeting. The Treasurer shall furnish the Corporation a fidelity bond in an amount equal to the largest sum of funds in his possession at any one time.

Section 5. The office of Secretary and Treasurer may be one and the same and be known as Secretary-Treasurer.

Section 6. All officers shall perform the duties prescribed in parliamentary authority in addition to those outlined in these By-Laws and those assigned from time to time. The officers shall deliver to their successors all official material, records and property within ten days following the meeting at which they are elected and qualified.

ARTICLE VII

RIGHTS, BENEFITS AND DUTIES OF MEMBERS

Section 1. The Corporation will install, maintain and operate service lines from its main lines to the property line of each member of the Corporation where possible, or to the edge of the utility right-of-way or the edge of the highway easement. In some instances it will be necessary for the member to obtain permission or a right-of-way across neighboring property, and in this event it will be the member's responsibility and at his expense to extend the service line to his property. The cost of the service line or lines from the main line of the Corporation to the property line, or other such location of the meter, shall be included in the tap fees and other charges that may be required for the installation of any service. The Corporation will install a cutoff valve in each service line between the main and the meter; such cutoff valves are to be owned and maintained by the Corporation. The Corporation shall have sole and exclusive right to the use of such cutoff valves to turn service on and off to the members. Members shall install a cut-off valve on the member side of the meter, and the member shall maintain and use that valve as necessary for his use in repairing and maintaining his lines on his property.

Section 2. Each member shall be entitled to no more than one (1) service line from the Corporation's system unless otherwise approved by the Board of Directors and provided that the member shall be required to pay the prevalent tap fee for each service line. No new service line or change in an existing line may be made which will interfere with an existing service line. Each service line shall connect with the Corporation's system at the nearest available place of desired use by the member, if the Corporation's system at that point shall be of sufficient capacity.

If the Corporation's system shall be inadequate to accommodate a connection at that point, then such service line shall be installed at such place as may be designated by the Corporation. Each member will be required to dig or have dug a ditch, to purchase and install and to maintain such portion of the service line or lines from the property line of the member to his own dwelling or other place of use on his premises at his own expense, provided that the Corporation may, if the Board of Directors so elect, purchase the pipe for and install such portion of such service line or lines, the cost of which will, however, be paid by the individual member.

Section 3. Each member shall be entitled to purchase from the Corporation, pursuant to such agreements as may from time to time be provided and required, such service as he may desire, subject to the provision of those By-Laws and to rules and regulations as may be prescribed by the Board of Directors.

Section 4. The Board of Directors shall, prior to the beginning of each calendar year, determine whether the monthly rates charged are adequate to support the Corporation's budget for the following year. The flat minimum monthly rate as set up in the rate schedule for the year will be payable irrespective of whether any service is used by a member during any month. The Board of Directors shall fix the date for the payment of such charges, and shall notify each member or cause each member to be notified of the amount of such charges and dates for the payment thereof. A member to be entitled to the service shall pay such charges at the office of the Corporation at or prior to the dates fixed by the Board of Directors. The failure to pay monthly charges duly imposed shall result in the automatic imposition of the following penalties:

- a. Non-Payment within twenty (20) days from the due date will be subject to a penalty of ten (10) percent of the delinquent amount.
- b. Non-Payment by the 25th of the month will result in the shut off of the water from the member's property (revised 01/01/2015).
- c. Non-Payment for sixty (60) days after the original due date will allow the Corporation, in addition to all other rights and remedies, to stop providing services, either water or sewer, remove the water meter and terminate his membership by forfeiture of the original tap fee. In such an event, the member shall not be entitled to receive, nor will the Corporation be obligated to supply either water or sewer service.
- d. Any member whose membership is cancelled, terminated or forfeited, as hereinabove provided, and who desires at a later date to receive service from the Corporation shall before being reconnected pay a new tap fee at the rate that is being charged for new members to be connected at that time, and they shall pay all back assessments or delinquent bills that may be owed by him to the Corporation, together with ten (10) percent interest on such indebtedness.

Section 5. The Board of Directors shall be authorized to require each member to enter into a user's agreement, which shall embody the principles set forth in the foregoing sections of this Article.

Section 6. Membership may be cancelled and/or service discontinued by the Corporation for any violation of any rule, regulation, or condition of service especially for any of the following reasons:

- a. Misrepresentation in application as to the property or fixtures to be supplied or use to be made of the service.
- b. Misuse due to improper or imperfect service pipes and/or fixtures or failure to keep the same in a suitable state of repair.
- c. Tampering with mains or lines or valves or permitting such tampering by others.
- d. Connections, cross-connections, or permitting the same, or any separate line to the premises which receive service from the Corporation.

Section 7. The rights and interests of members in the savings of the Corporation shall be determined in proportion to their business with the Corporation.

Section 8. The Corporation shall keep such records as are necessary to determine, at any time each Member's rights and interests in the assets of the Corporation.

Section 9. A member's rights and interests in savings or assets shall not be forfeited upon withdrawal or termination of membership.

Section 10. The organization will provide services substantially at cost. Dividends shall not be paid on the basis of membership or shares of stock in the organization. All funds from whatever sources remaining at the end of the year in excess of the amounts needed to meet current losses and expenses will be distributed to members in proportion to the amount of business done by them during the year, subject to concurrence of the Farmers Home Administration, or will be retained for such purposes as retiring indebtedness incurred in acquiring assets, expanding the organization's services, maintaining reserves for necessary purposes or reducing subsequent years water rates. However, the organization will maintain records from which each members rights and interests in retained funds and assets acquired with such funds in proportion to his business with the organization can be determined at any time. Required records for this purpose include financial records that show the organization's revenues from all sources for each year and records, such as bills and receipts, showing the amount of each members business annually with the organization.

ARTICLE VIII

CONDUCT OF AFFAIRS

Section 1. The Financial Affairs of the Corporation will be conducted on a non-profit basis. The Corporation will maintain a revenue fund account divided into three categories as follows:

- a. Debt Service Account
- b. Operation and Maintenance Account
- c. Reserve Account

ARTICLE IX

DISSOLUTION

In the event the corporation should dissolve in accordance with the Statutory Laws of the State of South Carolina, then, (1) any and all surplus funds and assets of the Corporation, after payment of all debts and expenses of the Corporation, shall be distributed to all members and former members pursuant to S501© (-12) of the Internal Revenue Code as now enacted or as may be hereafter enacted or amended from time to time; (2) the members or former members right to distribution shall not be forfeited upon withdrawal or termination of membership; (3) the interest of the member or former member in said surplus funds and assets shall be determined in proportion to the member's or former member's business with the Corporation during the period of membership insofar as practical; (4) any gains from the sale of an appreciated asset shall be distributed to all persons who were members during the period the asset was owned by the Corporation in proportion to the amount of business done by the said member during that period; (5) the Corporation shall maintain such records as are necessary to determine, at any time, each members or former member's rights and interests in the surplus funds and assets of the Corporation; (6) in the event of residual assets, the said residual assets will be deemed to be made to members or former members on the basis of their business with the Corporation and then such members or former members will be deemed to distribute or donate their assets to one or more organizations which are organized and operate for similar purposes which themselves are exempt as organizations described as S501© (12) of the Internal Revenue code as now enacted or as may be hereafter enacted or amended from time to time.