

STATE OF GEORGIA

COUNTY OF HENRY

HENRY COUNTY WATER AUTHORITY HYDRANT METER USE AGREEMENT

The undersigned Hydrant Meter User (hereinafter "Customer"), in consideration of permission to use a hydrant meter(s) of the Henry County Water Authority (hereinafter "HCWA"), hereby agrees to the terms and conditions contained herein.

General:

All use of water through hydrants for other than fire fighting activities by fire department personnel or official use by HCWA personnel will be through a fire hydrant meter owned by HCWA. Water may only be obtained through HCWA hydrants (silver hydrants marked with blue HCWA tags). Water from fire hydrants is for non-potable water use only as to be in compliance with The Reduction of Lead in Drinking Water Act.

Customer, when requesting a hydrant meter, will perform the following tasks and adhere to the following requirements:

1. Fill out application at Inventory Building Warehouse. Pay deposit and sign contract.
2. Pay a minimum charge for using the meter or a cost based on the metered amount (whichever is greater). Fees, deposits and usage charges are outlined below.
3. Prior to using hydrant water to fill a truck, the truck must be inspected by HCWA personnel. See tank truck section below for details.
4. Hydrants which are located on private property (usually in parking lots or near large buildings) such as schools, businesses, strip malls, shopping centers, etc., are not to be used by the general public. Always use hydrants located on main streets and highways. If in doubt, contact the property owner/manager before using the hydrant.
5. The cap provided and attached to the meter must be in place whenever the meter is not attached to the hydrant. Failing to do so could result in higher usage fees.

Hydrant Users: HCWA, at its sole discretion, shall require meters to be returned at designated and/or non-designated times. Customer must bring the meter to HCWA's warehouse by the 15th of each month for reading, maintenance and testing. Customer will pay a monthly minimum or a usage charge (whichever is greater). Fees are listed below.

Mobile Tanks (Tank Trucks) Requirements:

1. All mobile tanks filled from hydrants must be filled through a hydrant meter.
2. Mobile tanks must have a permanent air gap filling tube.
3. Mobile tanks to be filled from hydrants must be brought to HCWA's warehouse for inspection prior to being filled through a hydrant.
4. An inspection decal will be applied in a visible location on the mobile tank by HCWA personnel. Decals will be highly visible.

FEES, DEPOSITS AND CHARGES

Hydrant Meters:

1. \$850 deposit, plus an \$82.42 per month minimum bill (subject to change without notice) if the meter is returned for a monthly reading. Customer is responsible for obtaining and keeping receipts. Rates are: 0-11,000 gallons \$82.42 and \$6.37 per additional thousand gallons.
2. **If the meter is not returned for a monthly reading, a minimum fee equal to the fee for the use of 50,000 gallons of water at the current rate will be billed to the Customer.**
3. If the meter is not returned for a reading for two consecutive months, a late fee of \$500 will be billed to the Customer.

Fees for Non-Compliance:

If Customer is found using water from a hydrant without prior authorization from HCWA, bypassing any backflow preventer or mobile tank air gap, or if Customer otherwise uses water in violation of this Agreement, Customer shall

pay to the Authority the value of any water used, a hydrant use fee of \$2,500.00, as well as any consequential damages suffered by the Authority.

Improper use of any hydrant meter or failure to comply with this Agreement may also result in confiscation of the hydrant meter.

Hold Harmless and Indemnity:

Customer shall hold harmless and indemnify HCWA for any costs and expenses, including but not limited to court costs and attorney fees, incurred by HCWA in enforcing this Agreement against Customer and/or incurred by HCWA as a result of any claim or cause of action initiated against HCWA as a result of Customer's violation of any provisions of this Agreement.

Modifications of Agreement:

The terms of this Agreement may be unilaterally modified by HCWA by providing written notice of such modifications to Customer.

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ARTICLE XXII - PROHIBITION AGAINST TAMPERING WITH AUTHORITY AND COUNTY PROPERTY AND PROVIDING PUNISHMENT THEREFOR

- A) All consumers, persons, firms, or corporations who are charged with having violated this ordinance, shall be issued a citation by the Henry County Police Department, Henry County Sheriff's Department, or a representative of the Authority. Said citation shall require the appearance of the violator in the State Court of Henry County, Georgia, to answer said charges.
- B) The State Court of Henry County, Georgia shall have jurisdiction to hear, try and dispose of citations that are issued for said violations.
- C) Any customer, person, firm or corporation who violates the terms of this ordinance and does not pay the fees or fines assessed above within 10 days of the unauthorized use of the water or facilities of the Authority, shall have said fee or fine added to their water bill if a billing account exists. Also, a fi. fa. shall be issued by an Authorized Agent of the Authority and filed upon the public records of Henry County and the county of the residence of the customer, person, firm, or corporation who violated this ordinance, with the same being collected as other fi. fa.'s are authorized to be collected under the terms of this ordinance.

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By signing below, Customer acknowledges that he or she has executed a binding contract on behalf of himself, herself, or the legal entity that he or she represents, and that he or she understands and has agreed to all terms contained in this Agreement

Signature

Company Name

Printed Name

Date

PLEASE NOTE: IT IS YOUR RESPONSIBILITY TO PROVIDE YOUR CORPORATE OFFICE AND/OR BILLING DEPARTMENT WITH A COPY OF THIS CONTRACT.

METER # _____