

NOTICE OF RULE ADOPTION—FINAL RULE

**STATE OF MISSISSIPPI
PEARL RIVER VALLEY WATER SUPPLY DISTRICT**

**Pearl River Valley Water Supply District
c/Benny French, General Manager
115 Madison Landing Circle
P. O. Box 2180
Ridgeland, MS 39158
601-856-6574
www.rossbarnettreservoir.org**

**Specific Legal Authority Authorizing the promulgation of
Rule: §51-9-127
Reference to Rules repealed, amended or suspended by the
Proposed Rule : Sections 4.7.5 and 4.7.6, Marina
Pump Out Stations and Penalty, District Regulations**

Date Rule Proposed: February 15, 2007

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: The rule requires all boat slips and piers which moor watercraft equipped with holding tank to provide sewer pump out facilities. Existing public or private marinas are granted a three-year period to conform; all new construction must comply as of the effective date..

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date: {Insert Date}
Time: {Insert Time}
Place: {Insert Place}

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: May 1, 2007

/s/ _____
**Benny French
General Manager**

4.7 **Water and Sewer Service.**

4.7.1 It shall be unlawful for any person, firm or corporation to occupy or permit occupancy of any residence or business or commercial structure located within the Reservoir Project Area and serviced by water and sewer lines of the District unless such residence or structure is connected to the water distribution system of the District.

4.7.2 The owner of any premises receiving service of the utility system of the District, the occupant of such premises and the user of the services shall be jointly and severally liable for the payment of the cost of such utility service to such premises. All services are rendered to the premises by the District only upon the condition that such owner, lessee, occupant and/or user shall be jointly and severally liable therefor to the District.

4.7.3 The monthly rates and amounts required to be paid for utility service shall be set by the Board of the District.

4.7.4 Service will be discontinued to any patron of the District's utility system who fails, neglects or refuses to pay the amount billed within thirty-five (35) days of the billing date thereof. Water will not be supplied to any premises either directly or indirectly when the patron is in arrears at those premises.

4.7.5 Marina Pump-Out Stations. No boat slip/pier shall be constructed or used for the purpose of mooring watercraft equipped with holding tanks unless sewer pump out facilities are provided to all slips. Such pump out facilities shall be vacuum type facilities approved by the District which serve from one to four slips from one common control point. Transient-type facilities may have the option of incorporating stationary pump-out unit(s). Additionally, all marinas must provide at least one "porta-potty" dump station. All existing boat slips/piers within public or private marinas on the Reservoir which moor water-craft equipped with a holding tank shall be modified to provide on site pump out facilities as described above on or before May 1, 2010.

4.7.6 Each violation of this Section 4.7 shall constitute a misdemeanor and shall be punishable by a fine of One Thousand Dollars (\$1,000.00). Additionally, any marina which fails to comply with Section 4.7.5 of this regulation shall immediately cease to moor any water-craft equipped with a holding tank until the marina is in compliance with this regulation.

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4.7.6 Each violation of this Section ~~4.7.1 of this regulation~~4.7 shall constitute a misdemeanor and shall be punishable by a fine of ~~not more than One Hundred Dollars (\$100.00).~~One Thousand Dollars (\$1,000.00). Additionally, any marina which fails to comply with Section 4.7.5 of this regulation shall immediately cease to moor any water-craft equipped with a holding tank until the marina is in compliance with this regulation.