

A RESOLUTION AMENDING AND RESTATING THE WATER USER REGULATIONS OF HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; AMENDING AND RESTATING THE SEWER USER REGULATIONS; AND OTHER MATTERS RELATED THERETO

WHEREAS, Hilton Head No. 1 Public Service District (the “*District*”) was created as a body politic and corporate pursuant to the provisions of Act No. 596 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended by Act No. 686 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1971, by Act No. 1738 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1972, by Act No. 124 of the General Assembly of the State of South Carolina for the year 2003, and by Act No. 93 of the General Assembly of the State of South Carolina for the year 2023;

WHEREAS, the District provides water and sewer service to portions of Hilton Head Island located within the boundaries of the District;

WHEREAS, the Hilton Head No. 1 Public Service District Commission (the “*Commission*”) has determined that formal regulations are essential to the proper operations and management of the District; and

WHEREAS, the Commission previously adopted water user regulations and sewer user regulations that have each been in effect since September 1, 2024. By the terms of this Resolution, the Commission has determined to amend and restate both the water user regulations and the sewer user regulations in their entirety.

NOW THEREFORE, BE IT RESOLVED, that the Commission hereby adopts the following Amended and Restated Water User Regulations, a copy of which is attached hereto as Exhibit A. The Commission further adopts the following Amended and Restated Sewer User Regulations, a copy of which is attached hereto as Exhibit B (together with the water user regulations, the “*regulations*”). The regulations shall be effective as of August 1, 2026 and the regulations shall apply to all public, private, corporate, residential, commercial, industrial, or governmental properties or owners thereof located within the District and using or having access to its services, and to all persons, households, corporations, entities or organizations of any type whatsoever using or having access to the District’s utility system.

BE IT FURTHER RESOLVED, that all resolutions and other provisions in conflict with this Resolution are hereby repealed in their entirety, including the prior water user regulations and the prior sewer user regulations each dated as of September 1, 2024. To the extent the changes, modifications or restatements herein create or result in any inconsistencies in the structure or application of the regulations, such inconsistencies shall be revised and corrected in the regulations and its provisions shall control.

DONE AND ADOPTED THIS 22nd DAY OF JULY 2026.

HILTON HEAD NO. 1 PUBLIC SERVICE
DISTRICT, SOUTH CAROLINA



Chairman of Commission

(SEAL)

Attest:



Secretary of Commission

EXHIBIT A

AMENDED AND RESTATED WATER USER REGULATIONS OF HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA

Effective as of July 22, 2026

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I. General Provisions

- A. Incorporation of Whereas Clauses - The “whereas” clauses stated in the preamble of this document are hereby incorporated as a material part of these regulations as if they were restated here in their entirety.
- B. Definitions - Unless otherwise indicated in the context, the meaning of the following terms used in these regulations shall be as follows:
1. Backflow– The flow of contaminated water or other liquids, gases or substances into the potable water supply.
 2. Backflow Prevention Assembly – An assembly that prohibits the backflow of water or other liquids, gases or substances into the potable water supply.
 3. Commission – Hilton Head No. 1 Public Service District Commission, as the governing body of the District.
 4. Cross-Connection – Any physical arrangement in a public or private water system or plumbing system where the potable water supply is connected with an actual or potential source of contamination.
 5. District – Hilton Head No. 1 Public Service District, South Carolina.
 6. District Service Area – The area to which the District is authorized to provide water and sewer service, more specifically defined by its Enabling Legislation, and subsequent ordinances of the Beaufort County Council further amending said service area. Any area to which the District provides service and operations by contract with another entity or owners outside of the defined service area may, for the purposes of these regulations, be considered a part of the District Service Area.
 7. Enabling Legislation - Act No. 596 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended from time to time.
 8. Engineering Standards – The District’s Engineering Standards, which include minimum requirements for the design and construction of water and sanitary sewer facilities. Reference the District’s Design Specifications Manual, Water and Sewer Use Regulations, and Construction Guidelines, and subsequent or ancillary addendum sheets or bulletins.
 9. Fire Hydrant Assembly – A fire hydrant and the piping and valve connecting it to a Water Main.
 10. Fire Protection System – Any privately-owned and maintained water system used for fire extinguishment only, inclusive of Fire Sprinkler Systems, Private Fire Hydrants, and the water mains and appurtenances feeding such systems.
 11. Fire Sprinkler System – A privately-owned and maintained water system used for fire extinguishment only, including piping and appurtenances inside and outside a building but excluding Fire Hydrant Assemblies.
 12. Irrigation Systems – Any means, other than hand-held containers, of applying water to

landscaped areas.

13. Private Fire Hydrant – Any fire hydrant (and its appurtenances) located on a specific parcel of private property between a source of water and the base of the rise. A hydrant is considered a Private Fire Hydrant where the hydrant exists for the purpose of providing fire protection solely to the premises upon which the hydrant is located, without regard to whether the District owns or maintains the hydrant. Any hydrant located within a commercial, institutional, or industrial unit development where the traffic lanes immediately adjacent to the hydrant are not owned and maintained by the Town of Hilton Head Island, Beaufort County, or the State of South Carolina as a public thoroughway shall constitute a Private Fire Hydrant.
14. Private Water System – Any part of a Water System that is not part of the Public Water System.
15. Property Owner – Any individual, company, partnership, joint venture, corporation, LLC, LLP, association, society or group that owns or has a contractual interest in the subject property or has been authorized by the owner to act on his/her behalf.
16. Public Water System – All pipes, wells, treatment systems, pump stations, tanks, valves and appurtenances that are owned by the District for the production, treatment, transmission, storage and delivery of potable water. The public water system does not include those facilities located on the customer side of meters, or on the customer side of the property line on meterless fire services serving single-user properties or master-metered multi-user properties, or beyond the point of the District's main line easement on meterless fire services serving individually metered multi-user properties.
17. Service Connection or Water Service Connection – Also called a “service” or “service connection”. The pipe and appurtenances used to provide potable water to an individual building or Irrigation System, including the tap, water service line (the pipe extending from the water main to the meter setter), meter setter, meter box, meter and miscellaneous fittings.
18. SCDES – Shall mean the South Carolina Department of Environmental Services, which is a successor in interest to the South Carolina Department of Health and Environmental Control.
19. Water Emergency – Any situation or period of time during which water is not available or its availability is limited due to shortages in supply, interruptions in the water transmission or distribution systems, contamination of water supplies, or other conditions where use restrictions or prohibitions are necessary in order to efficiently and effectively safeguard the safety and health of the general public and to provide water for essential public uses.
20. Water Facility – Any facility for the production, treatment, conveyance or storage of water, and related appurtenances, whether part of the Public Water System or a Private Water System that is connected to or intended to be connected to the Public Water System.
21. Water Main – A water pipe that is part of the Public or Private Water System used for the transmission and distribution of potable water, excluding service connections, Fire Hydrant Assemblies and Fire Sprinkler Systems.

22. Water System – The entire water system within the District Service Area, comprised of the Public Water System and connected Private Water Systems.

C. Fees and Charges

The Commission has the full authority to establish all fees and charges as granted by its Enabling Legislation and/or any subsequent statute, rule, or regulation. After public notice and public hearing, fees and charges may be adjusted to meet changing costs and circumstances. Any unpaid water charges shall constitute a lien against the property when permitted by law.

D. Capacity Charge

All properties using the Water System shall be subject to payment of appropriate capacity charges as defined in the District's *Water and Sewer Capacity Regulation*.

E. Developer Fees

The developer of any property within the District Service Area shall be responsible for all costs of system extensions and on-site infrastructure to serve the project, in addition to capacity charges, tap fees, and any other subsequently adopted fees, and will adhere to the District's Design Specifications Manual, Water and Sewer Use Regulations, and Construction Guidelines.

F. Over-sizing of Developer/Customer Projects

If in the District's evaluation of a developer/customer project it becomes apparent that over-sizing of the proposed project's mains and/or other appurtenances will improve the capabilities of the District's existing system and/or the District's ability to serve other properties in the future, the District may require the developer/customer to design and build the proposed project to the District's requested sizing. With prior written design and cost approval by the District, the developer may be reimbursed for design and construction costs in excess of the original proposed project. This evaluation shall be completed by the District's engineer and shall be based upon current master plans, other applicable government plans and generally accepted best management practices.

G. Access

The District shall have the right of reasonable ingress and egress over and through any property connected to the Public Water System as necessary to exercise the rights granted herein, regardless of whether a separate recorded easement or written access agreement exists. Such right of access shall be deemed a condition of receiving water service from the District and shall run with the property for so long as the equipment remains installed or connected to the Public Water System.

H. Fire Sprinkler System and Private Fire Hydrant Charges

Any property served by a Fire Sprinkler System may be charged an established monthly fee as shall be fixed by the District. Such fee shall be for the purpose of defraying the cost of water capacity associated with providing water service to such systems, as well as the cost of providing periodic District inspection of such non-metered connections and appurtenances.

II. Water Use Provisions

A. Application for Service

Any person or organization desiring water service from the District shall make application at the District's administrative offices.

B. Deposit Required

Any person seeking water service from the District may be required to make a deposit based on the schedule of fees approved by the Commission from time to time. The District shall retain the deposit until such time as service at the location is discontinued, at which time any service charges due to the District will be deducted from the amount of the deposit. If a balance remains, it will be refunded to the customer. If a balance remains due to the District, the customer will be billed for it.

All such rates and charges, if not paid when due, shall constitute a lien upon the premises served by such works as permitted by South Carolina law.

C. Responsibility for Service Lines and Plumbing

The District's responsibility for water service shall terminate at the outlet side of the water meter. The District shall own, operate, and maintain the water meter and associated facilities up to the meter.

The customer shall be solely responsible for the installation, maintenance, repair, and condition of all service lines, plumbing, fixtures, and appurtenances located on the customer's side of the meter, including any damage, leaks, or loss of water occurring downstream of the meter. This includes all couplings, fittings, adaptors, and appurtenances that connect the meter to the customer service line.

The District shall not be responsible for any damage to property or for any loss of water occurring on the customer's side of the meter, except to the extent caused by the District's negligence.

D. Courtesy Repairs on Customer-Side Connections

From time to time, District personnel may, at their sole option, perform minor adjustments or repairs to customer-side meter connections as a courtesy. Any such actions are performed for the convenience of the customer and shall not be construed as assuming responsibility for the condition, maintenance, or repair of customer-owned facilities.

The customer shall remain solely responsible for all service lines, connections, couplings, fittings, adaptors, and appurtenances located on the customer's side of the meter, including any leaks, failures, or water loss associated therewith.

The District shall not be responsible for any water loss, damage, or subsequent failure associated with customer-side facilities, whether or not District personnel have performed minor adjustments or courtesy repairs, except to the extent caused by the District's negligence.

E. Condition of Customer-Side Plumbing

The customer shall maintain all service lines, plumbing, and appurtenances located on the

customer's side of the meter in a safe and operable condition sufficient to withstand normal water system pressure; and tolerate routine service activities, including meter installation, replacement, and maintenance performed by the District.

The District shall not be responsible for damage to customer-side service lines, plumbing, or appurtenances that results from the failure, deterioration, or inadequate condition of such facilities during the course of routine and non-negligent meter installation, replacement, or maintenance.

F. Metering

1. All water connections made to the Public Water System shall be metered with the exception of Fire Protection System connections for commercial buildings.
2. Each separate building or premises shall be separately tapped to its own water meter, except that where more than one building or premises is located on the same lot, the District, where it deems to be in its best interest, may elect to permit multiple services from one metered connection. In such cases, the appropriate number of minimum charges will be assessed. Garage structures appurtenant to residential dwelling units are not covered by this provision.
3. For new construction, each residential equivalent unit of a multi-family building shall be individually metered in accordance with the Engineering Standards and any other project-specific or site-specific requirement specified as a result of the development plan review process by the District's engineer. Redevelopment projects shall be subject to this requirement pending a case-specific review by the District's engineer..
4. Submetering of any currently master metered Water Facility for the purpose of subunit billing by or on behalf of any entity other than the District, and/or to facilitate private control or interruption of water service to subunits is prohibited without the express written approval of the District. The District shall be under no obligation to approve the installation or use of such system or device, and service may be suspended or terminated in the sole discretion of the District in the event such a service connection is made and pending any requirement to remediate such impermissible connection.
5. Submetering of any master metered facility where the subunits will become directly billed customers of the District shall be subject to prior written approval from the District and shall be required to comply with the District's specifications for such system or device. Under such arrangement, delinquent payments from subunit customers shall be added to the master meter account unless the subunit meter has remote activated shutoff capability under control of the District. The master meter customer or its agent shall not interrupt water or sewer service to any individually metered subunit without prior written approval from the District.
6. The District reserves the right to upsize or downsize a customer's meter at the time of meter replacement or at other reasonable intervals, when the District determines such adjustment is necessary or appropriate based on applicable criteria, including but not limited to: historical water usage and demand patterns; changes in service demand or property use; fire protection or public safety requirements; system capacity, pressure, or operational considerations; or updated engineering standards or regulatory requirements. The District shall apply these criteria in a reasonable, consistent, and non-discriminatory manner consistent with its obligation to provide safe, adequate, and efficient service. The

customer shall be responsible for any costs associated with upsizing a meter, unless otherwise determined by the District in accordance with its adopted policies or fee schedules.

G. Improperly Turning Water on; Meter Tampering

1. No unauthorized person shall turn on the water to any premise or tamper with or disturb any water meter or meter box, to include any appurtenance of the Water System except with written authority from the District.
2. No unauthorized person shall (i) install or operate any device to bypass a water meter, (ii) move an existing meter, (iii) create an obstruction that prohibits or limits access to a meter or functionality of remote reading technology, or (iv) permits or creates an unauthorized service tap or Cross-Connection.
3. No Property Owner or other person shall interfere with the efforts of a duly authorized District employee to discontinue water service to a premises.
4. Any unauthorized meter tampering or obstruction shall constitute a violation of these regulations and shall subject the customer and/or Property Owner to: (a) payment of all applicable reconnection charges, administrative fees, and estimated usage charges; (b) reimbursement to the District for all costs associated with investigation, repair, replacement, or enforcement; (c) potential penalties authorized by applicable law or District policy; and (d) suspension or termination of water service.

H. Charge When Meter Placed Back in Service

1. No customer or other unauthorized person shall restore, reconnect, reactivate, or otherwise place into service any water meter or water service connection that has been disconnected, locked, removed, shut off, or otherwise taken out of service by the District without prior written authorization from the District. Any unauthorized restoration of service shall constitute a violation of these regulations and shall subject the customer and/or Property Owner to: (a) payment of all applicable reconnection charges, administrative fees, and estimated usage charges; (b) reimbursement to the District for all costs associated with investigation, repair, replacement, or enforcement; (c) potential penalties authorized by applicable law or District policy; and (d) suspension or termination of water service.
2. The District reserves the right to require inspection of the service connection and payment of all outstanding amounts prior to restoration of authorized service.

I. Charges When Meter Malfunctions

Whenever any water meter malfunctions or otherwise delivers what is known by the District to be an inaccurate report of actual use, the usage charge to the customer shall be estimated according to pertinent available data, using best management practices. Where sufficient data is not available, the customer shall be responsible for payment of all applicable base charges.

J. Unauthorized Use of Water from Hydrants

Except for a duly chartered firefighting organization or other entity approved in writing by the District, no person or company may access or use water from any Fire Hydrant Assembly. Contractors who wish to obtain water from any Fire Hydrant Assembly near work sites must request

permission from District to do so through written application. If such use is permitted, the permittee must pay all associated costs. The penalty for a violation of this section shall be the greater of (i) \$100.00 per occurrence or whatever other amount has been approved by the Commission under the then applicable fee schedule.

K. Unprotected Cross-Connections Not Permitted

In accordance with the requirements of the South Carolina Safe Drinking Water Act (S.C. Code 1976, Section 44-55-10) and State Primary Drinking Water Regulations promulgated and enforced by SCDES, unprotected Cross-Connections shall not be permitted. The appropriate Backflow Prevention Assembly, installed at the owner's expense following the District's approval, shall protect all actual and potential Cross-Connections to the Water System. The owner will subsequently be responsible for paying an annual inspection and testing fee for the device and for maintaining it in proper working order.

L. Water Shortage Contingency Plan

The District shall develop, maintain and implement as directed by South Carolina law, a water shortage contingency plan to respond to anticipated or actual water supply shortages resulting from weather conditions, regional water system failure, local public water system failure, or other precipitating conditions. The District is authorized to implement the water shortage contingency plan at such times as the District's water supply is threatened by or experiencing a water supply shortage. Within the framework for the water shortage contingency plan, the District may impose restrictions and or limitations on the use of water by type of use, customer class (commercial, institutional, residential, etc.) or geographic area depending upon the nature and extent of the water supply shortage. The Commission may implement Water Emergency conservation rate surcharges as it deems necessary to protect remaining water supplies and the public health.

M. Fire Protection Systems

1. All Fire Protection Systems of less than or equal to 2" connected with the Public Water System shall protect the Public Water System with an approved double-check valve assembly as a minimum requirement. All Fire Protection Systems using additives or booster pumps shall protect the Public Water System with an approved reduced pressure principal detector assembly at the main service connection.
2. All Fire Protection Systems of greater than 2" connected with the Public Water System shall protect the Public Water System with an approved double-check detector assembly as a minimum requirement.
3. All existing Backflow Prevention Assemblies 2-1/2" and larger installed on Fire Protection Systems that were initially approved by the District shall be allowed to remain on the premises, as long as they are being properly maintained, tested and repaired as required by SCDES regulations. However, if the existing assembly must be replaced (once it can no longer be repaired), or in the event of proven water theft through an unmetered source, the consumer shall be required to install an approved double-check detector assembly or reduced pressure principal detector assembly as required by SCDES regulations.

N. Private Fire Hydrants

1. The District requires that all Private Fire Hydrants stay in a state of readiness. By

implementing this policy, all Private Fire Hydrants shall be inspected, maintained, tested and documented as provided herein.

2. Each Private Fire Hydrant shall be maintained at the sole expense of the owner. To ensure functionality, all Property Owners with a Private Fire Hydrant are required to have a qualified company perform all inspections, maintenance, and testing. Under this policy, each Private Fire Hydrant must be inspected and maintained by a qualified company at least one-time per calendar year and must be tested (measuring flow) by a qualified company at least one-time every three calendar years. Accurate records and report of all inspections, maintenance, and testing shall be maintained by the Property Owners and provided to the District within 30 days of such inspection or testing. Additionally, the Property Owner may be required to provide copies of such reports to the Town of Hilton Head Island Fire Department and any applicable homeowners or Property Owners association, as applicable. The District shall maintain a listing of companies qualified to perform such inspections, maintenance and testing, and shall make the list available upon request.
3. All Private Fire Hydrants shall be painted "Safety Yellow" with a steel grey bonnet, and visible from the street or other public right of way. The Private Fire Hydrant shall be visible from all directions of travel to responding fire apparatus. The nearness of shrubs, plants, fences, posts, etc. shall not prevent access to the hydrant for proper operation. A 3-foot clear space shall be maintained around the circumference of each Private Fire Hydrant. A 6-foot, 8-inch clear space from the top of the hydrant vertically to the bottom of any tree, limbs, hedges, or bushes shall be maintained. The center of the 5-inch hose outlet shall be not less than 18 inches above grade.
4. The following publication shall govern this program: American Water Works Association (AWWA), M17 installation, Field Testing, and Maintenance; and National Fire Protection Association (NFPA 25, 2023), and subsequent editions or ancillary addendum sheets or bulletins.
5. Failure to perform maintenance, inspections, or testing, or failure to otherwise conform to the standards described in this policy may, in the sole discretion of the District, result in termination of service by the District to the Private Fire Hydrant. Such termination will be implemented following written notice to the Property Owner from the District regarding any planned termination of service.
6. The provisions of II(J) hereof shall also be applicable to any Private Fire Hydrant.

O. Interruption of Service

The District reserves the right to interrupt service at any time for maintenance, repairs, emergencies, or operational purposes and shall not be liable for damages resulting from temporary interruptions, pressure variations, or water quality fluctuations, except to the extent caused by gross negligence or willful misconduct.

P. Cost of Operation and Maintenance

Each Property Owner or customer shall be solely responsible for the cost to operate and maintain any Private Water System, irrigation system, Private Fire Lines, and any leaks or other service disruptions on the customer's side of the meter. Owners of any Private Water System, or any

customer with a Cross-Connection shall indemnify and hold harmless the District from claims arising or resulting from any connection to the Public Water System.

III. Inspection & Notification

A. Authority of District Inspectors

1. The District or its duly authorized representatives bearing proper credentials shall be permitted reasonable access to customers' premises for the purposes of inspection, observation, measurement, sampling and testing in accordance with provisions contained herein.
2. While performing necessary work on private property referred to in Section III(A)(1) above, the District or its duly authorized representatives shall observe all safety rules applicable to the premises, established by the discharger and properly communicated to the District, and, to the extent permitted by law and within the parameters of the District's insurance coverage, the discharger shall be held harmless for any injury or death of the District's representatives, except as such may be caused by negligence or failure of the discharger to maintain safe conditions.
3. Where access to the premises is restricted or impeded in any way, the District may, in its sole discretion, suspend or terminate any service connection pending confirmation of necessary access rights or privileges.

B. Notification Protocol

1. Except where immediate corrective action is required in accordance with the terms and conditions of this and other applicable regulations, the customer or person in charge of any installation found not to be in compliance with the provisions of these regulations shall be notified in writing with regard to the corrective action(s) to be taken.
2. Such notice must explain the infraction and give the time period within which the infraction must be corrected. The time period set to correct an infraction shall not exceed 30 days after receiving notice unless a written variance request is approved by the District's General Manager or his agent. If the infraction has been determined by the District to be an imminent hazard, the customer shall be required to correct the infraction immediately.

C. Suspension of Service

1. The District may suspend water service when in the District's opinion such suspension is necessary to stop an actual or potential backflow or an excessive usage that presents or may present an imminent or substantial endangerment to the health or welfare of persons or may cause violation of any drinking water quality regulation or standard. In case of suspension of water service to any master-metered multi-family facility, the District shall immediately notify SCDES, the Town of Hilton Head Island, and individuals served by the multi-family service.
2. The District may terminate any non-metered connection where the owner or owner's agent fails to take immediate action to correct a line break or leak or to authorize the District to make repairs at the owner's expense. The District shall in such case give immediate notice to the fire department holding jurisdiction and to the facility owner or owner's apparent

agent on site.

3. The District shall reinstate water service upon receiving proof that the non-complying or adverse condition has been satisfactorily remedied and upon payment receipt of all applicable fees and penalties.
4. Service may be suspended, terminated, or denied for any of the following reasons: (i) fraud, (ii) violations of these regulations, (iii) unsafe conditions, (iv) unauthorized or impermissible service connections, (v) refusal of access or inspections, (vi) non-payment of fees and charges, or (vii) other reasonable grounds determined in the discretion of the District.

D. Penalties

1. Failure to comply with the provisions of these regulations shall constitute a violation and may result in one or more of the following enforcement actions:
 - (a) issuance of notices of violation or administrative compliance orders;
 - (b) assessment of fines, penalties, administrative charges, inspection fees, and cost recovery charges as authorized by the District's rate resolutions, policies, or applicable law (subject to subsection (D)(2) below);
 - (c) recovery by the District of all costs incurred as a result of the prohibited discharge or connection, including engineering fees, inspection costs, cleanup expenses, legal fees, contractor expenses, repair costs, and costs associated with damage to the sewer system or regulatory violations;
 - (d) discontinuance or suspension of water and/or sewer service until the violation has been corrected to the satisfaction of the District;
 - (e) denial of new or continued water and/or sewer service, permits, inspections, or certificates of occupancy related to the property; and
 - (f) referral of the violation to applicable governmental or regulatory authorities for additional enforcement action.
2. Any person who willfully or negligently fails to comply with any provision set forth herein may be deemed to be in violation of these regulations and, therefore, subject to civil penalty not to exceed \$2,000.00 for each day of violation, in accordance with South Carolina Code Ann. Section 6-11-285.

IV. Severability

In the event that any section or portion of these regulations is deemed to be invalid for any reason of legality or technicality, all remaining sections and terms of these regulations shall remain in full force and effect.