CHAPTER 51: WATER

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RULES AND REGULATIONS

§ 51.01 SHORT TITLE; SCOPE.

(A) *Short title.* This subchapter may be referenced to as the *Rules and Regulations of the Falls City Water System*, and may be so cited and pleaded.

(B) *Scope*. The Water Department and all customers receiving services from the Water Department, whether inside or outside the city limits, are bound by these rules and regulations of the Water Department.
(Ord. 98-471, passed 5-4-1998)

§ 51.02 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICANT. The person or persons, firm, or corporation making application for water service from the Water Department under the terms of these regulations.

CITY. The legally constituted municipal government of the City of Falls City, Polk County, Oregon.

CITY COUNCIL. The legally elected group of members composing the City Council, including the Mayor.

CUSTOMER or ***USER.*** An applicant who has been accepted under the terms of these regulations and who receives water service from the Water Department.

RESOLUTION OF THE COUNCIL. Resolution No. 98-06 setting rates and fees as adopted on 1-6-1998, until superseded, in which case it shall mean the most recent resolution of the City Council setting rates and fees.

SUPERINTENDENT. The person appointed by the City Council to superintend the affairs of the Water Department or, if none, the City Recorder/Administrator.

WATER DEPARTMENT. The City Water Department.
(Ord. 98-471, passed 5-4-1998)

Cross-reference:

Short title; scope, see § 51.01

§ 51.03 SERVICE AREA.

The area served by the Water Department shall be all that area included within the corporate limits of the city, and any other contiguous and neighboring territory as the City Council shall, from time to time, deem necessary to serve.
(Ord. 98-471, passed 5-4-1998)

§ 51.04 DESCRIPTION OF SERVICE.

(A) *Supply*. The Water Department will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a reasonable pressure and to avoid, so much as reasonably possible, any shortage or interruption in delivery. The Water Department shall not be liable for damage resulting from the interruption in service or from the lack of service. Temporary suspension of service by the Water Department for improvements and repairs will be necessary occasionally. Whenever possible, and when time permits, all customers affected will be notified prior to shutdowns.

(B) *Quality.* The Water Department will exercise reasonable diligence to supply safe and potable water at all times.

(C) *Ownership of system.* All water mains, water meters, valves, fittings, hydrants, and other appurtenances, except "customer service lines," as defined in § 51.07(A), shall be the property of the Water Department.

(D) *Classes of service.* The classes of service shall be residential, commercial, standby fire, and contract:

(1) Inside city limits or outside city limits; and

(2) Classes:

(a) *Residential service.* Residential services shall consist of all services for domestic purposes, single-family dwellings, homes, and municipal purposes;

(b) *Commercial service.* Commercial services shall consist of those services where water is used for commercial services, such as businesses and multi-family dwellings;

(c) *Standby fire.* Standby fire services shall consist of those services where water is available or used for fire protection only; and

(d) *Contract service.* Contract service shall consist of those services for industrial or independent water district purposes under contracts authorized by the City Council.

(E) *Special contracts.* When the applicant's requirements for water are unusual or large, such as an independent water district or necessitate considerable special or reserve equipment or capacity, the Water Department, by authorization of the City Council, reserves the right to make a special contract, the provisions of which are different from and have exceptions to the regularly published water rates, rules, and regulations. This special contract shall be in writing, signed by the applicant, and approved by the City Council and City Attorney and signed by the Mayor and City Recorder/Administrator.

(F) *Resale of water.* Resale of water shall be permitted only under special contract, in writing, between the City Council and the persons, parties, or corporations selling the water.

(G) *Service preference.* In cases of shortage of supply, the Water Department reserves the right to give preferences in the matter of furnishing service to customers and interest of the Water Department from the standing of public convenience or necessity. Water service to users outside of the city limits shall at all times be subject to the prior and superior rights of the customers within the city limits.

(Ord. 98-471, passed 5-4-1998)

§ 51.05 APPLICATION FOR SERVICE.

(A) *Application form.*

(1) Each applicant for water service shall sign an application form provided by the Water Department giving the date of application, location of premises to be served, the date the applicant desires services to begin, purpose for which service is to be used, the address for mailing of the billings, the class and size of the meter service, and any other information as the Water Department may reasonably require. In signing the application, the customer agrees to abide by these rules and regulations of the Water Department. The application is merely a written request for service and does not bind the Water Department to provide service.

(2) Effective as of 3-1-2000, all new applications for water service shall be made by the property owner(s) of record. All new deposits and customer accounts shall be maintained in the name of the property owner(s) of record. For properties being purchased through a land sale contract, the owner(s) of record shall be those designated as "agent" on the rolls of the County Assessor's office.

(B) *Deposits and establishment of credit.* At the time the application for service is made, the applicant shall establish his or her credit with the Water Department.

(1) *Establishment of credit.* The credit of the applicant will be deemed established if the applicant makes a cash deposit with the Water Department to secure the payment of bills for service. The deposit shall be a sum equal to the estimated bill for two-months' service or as otherwise established by resolution of the Council.

(2) *Deposits.* At the time the deposit is given to the Water Department, the applicant will be given a receipt for the same. The deposit is not to be considered as a payment on account. In the event the service is discontinued, the deposit shall be applied to the closing bill and any amount in excess of the closing bill shall be refunded. The Water Department will not pay interest on any deposit.

(3) *Forfeiture of deposit.* If an account becomes delinquent and it is necessary to turn off the service, the deposit shall be applied to the unpaid balance due. Water service will not be restored to that premises or that customer at different premises until all outstanding bills due the Water Department have been paid and the cash deposit replaced, together with the reconnect fee as established by resolution of the Council.

(C) *Application amendments.* Customers desiring a material change in the size, character, or extent of equipment or operation which would result in a material change in the amount of water used shall give the Water Department written notice of the change prior to the change and the application for service shall be amended. Customers desiring a change in the size, location, or number of services shall fill out an amended application.

(Ord. 98-471, passed 5-4-1998; Ord. 477, passed 1-31-2000)

§ 51.06 MAIN EXTENSION.

(A) *Within the city limits.* Water main extensions to areas within the city limits not presently served with water shall be a minimum of six-inch pipe of a material specified by the city and become the property of the Water Department at the time of installation. Extensions inside the city limits shall be installed by the Water Department or by contractors approved by the Water Department. The installation procedures and materials used shall be in accordance with current City and/or State Health Department standards. Subdividers for newly partitioned properties will assume all costs of main extensions with the approval of the City Council.

(B) *Outside the city limits.* Water mains outside the city limits shall be extended only at the expense of the customers served. The main extensions shall be a minimum of six-inch pipe of a material specified by the city and become the property of the Water Department at the time of installation. Extensions outside the city limits shall be installed by the Water Department or by contractors approved by the Water Department. The installation procedures and materials used shall be in accordance with current City and/or State Health Department standards. Subdividers for newly partitioned properties will assume all costs of main extensions with the approval of the City Council.

(C) *Locations of extensions.* The Water Department will make water main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extensions shall be obtained in the name of the city, along with all rights and title to the main at the time the service is provided to the customer paying for the extension.
(Ord. 98-471, passed 5-4-1998)

§ 51.07 SERVICES.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CUSTOMER SERVICE LINE. The part of the piping on the customer's property that connects the service to the customer's distribution system.

SERVICE CONNECTION. The part of the water distribution system which connects the meter to the main line and shall normally consist of corporation stop, service pipe, curb stop and box, meter, meter yoke, and meter box.

(B) *Ownership, installation, and maintenance.* The Water Department shall own, install, and maintain all services and installation and maintenance shall only be performed by authorized employees of the Water Department. The customer shall own, install, and maintain the service line.

(C) *Service connection charge.* At the time the applicant files for service where no service previously existed, or if he or she is filing for a change in service size or location, he or she shall submit with his or her application the service connection charge. This charge is to cover the actual cost to the Water Department to install the first 100 feet of service from the main line to, and including, the meter and meter housing. The minimum service connection charge shall be as established by resolution of the Council. If the length of main line to the meter location exceeds 100 feet, the applicant shall pay the extra cost of the line on the basis of actual cost to the Water Department for labor, materials, and equipment plus 15%.

(D) *Size of service line.* The Water Department will furnish and install a service line of the size and at the locations as the applicant requests, provided the requests are reasonable and that the size requested is one that is listed by the Water Department. The minimum size of service line shall be three-fourths inch. The Water Department may refuse to install a service line which is undersized or oversized as determined by a study and report of the Superintendent to the City Council.

(E) *Changes in service size.* Permanent changes in the size of the service line requested by the customer shall be paid by the customer on the basis of actual cost to the Water Department for making the change.

(F) *Length of service line.* Where the main line is in a public right-of-way, the meter will be placed at the right-of-way line nearest the property to be served for the standard connection fee, provided the length of service line does not exceed the width of the right-of-way. Where the main line is on an easement or publicly owned property other than designated rights-of-way, the service shall be installed to the boundary of the easement or public property by the Water Department, provided the length of service does not exceed 100 feet. If, in either case cited herein, the length of service line to the meter location exceeds the maximum stated, the applicant shall pay the extra cost of the line on the basis of actual cost to the Water Department for labor, materials, and equipment plus 15%.

(G) *Joint service connections.* The Water Department may, at its option, serve two or more premises with one connection. On new service connections, the inside diameter of the joint lines shall be sufficient to provide a carrying capacity of not less than the combined capacity of individual service lines of the same size as the meters installed. Service extensions from an existing service to other occupancies or ownerships than that for which the existing service was intended shall not be permitted nor shall separate residences be permitted to receive service through one meter except under special considerations approved by the City Council.

(H) *Number of service connections on premises.* The owner of a single parcel of property may apply for and receive as many services as he or she and his or her tenants may require, provided his or her application or applications meet the requirements of the policies, rules, and regulations.

(I) *Standby fire protection service connections.*

(1) *Purpose.* Standby fire protection service connections of two-inch size and larger will be installed only if adequate provisions are made to prevent the use of water from the services for purposes other than fire extinguishing. Sealed fire sprinkler systems with water-operated alarms shall be considered as having the provisions. The Water Department may require that a suitable detector check meter be installed in the standby fire protection service connections to which hose lines or hydrants are connected. All piping on the customer's premises shall be installed in accordance with the plumbing code of the state.

(2) *Charges for service.* Charges for standby fire protection service will be as established by resolution of the Council. No charge will be made for water used in the standby fire protection services to extinguish accidental fires or for routine testing of the fire protection system. The customers shall pay the full cost of the standby protection service connection, any required detector check meters, and any required special water meter installed for the service to the standby connection.

(3) *Violations of regulations.* If water is used from a standby pipe connection service in violation of these regulations, an estimate of the amount used will be computed by the Water Department. The customer shall pay for the water used at the regular rates, including the minimum charge based on the size of the service connection and subsequent bills rendered on the basis of the regular water rates.

(J) *Fire services connections other than standby.* A service having fire protection facilities on the premises and water for other purposes flowing through the same service connection shall be considered as an ordinary service and metered as such. All water used through that service, regardless of its use, will be charged at the regular rates.

(K) *Temporary service connections.* For water service of a temporary nature, applicants shall be required to pay in advance the estimated cost of installation and removal of metering equipment and materials, plus a reasonable depreciation charge for the use of equipment and material furnished by the Water Department. The applicant shall also pay his or her water bill in advance and based on an estimate of the quantity to be used, or he or she shall otherwise establish satisfactory credit.

(1) *Time limit.* Temporary service connections shall be discontinued and terminated within six months after installation unless an extension of time is granted, in writing, by the Water Department.

(2) *Charge for water served.* Charges for water furnished through a temporary service connection shall be at the same rates as for regular services as established by resolution of the Council.

(3) *Installation charge and deposits.* Applicant for temporary service will be required:

(a) To pay the Water Department, in advance, the estimated cost of installing and removing all facilities necessary to furnish each service;

(b) To deposit an amount sufficient to cover bills for water during the entire period the temporary service may be used, or to otherwise establish credit approved by the Water Department; and

(c) To deposit with the utility an amount equal to the value of any equipment loaned by the Water Department to the applicant under the terms of division (K)(4) below.

(4) *Responsibility for meters and installation.* The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the Water Department. If the meter or other facilities are damaged, the cost of making repairs shall be deducted from the deposit fund. If the loaned materials are returned in satisfactory conditions and all bills paid, the full amount of the equipment deposit will be returned to the temporary customer at the termination of service.

(L) *Customer's plumbing.*

(1) *Plumbing code.* The customer's plumbing, which shall include the customer's service line and all plumbing, piping, fixtures, and other appurtenances carrying or intended to carry water, sewer, or drainage shall comply with the plumbing code of the state.

(2) *Control valves.* Customers shall install a suitable control valve in the customer service line as close to the meter as possible, the operation of which will control the entire water supply to the premises served. In the event a customer's service is discontinued for any reason, a control valve must be installed, if none exists, as provided by this section. It shall be a violation of these rules and regulations for the customer to operate, cause, or permit unauthorized operation of the meter stop or any appurtenances on the service connection. (Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

§ 51.08 METERS.

(A) *Ownership.* The Water Department will own and maintain all water meters. The Water Department will not pay rent or any other charge for a meter or other water facilities, including housing and connections on a customer's premises.

(B) *Installation.* Installation of water meters will be performed only by authorized employees of the Water Department. All meters shall be sealed by the Water Department at the time of installation, and no seal shall be altered or broken except by one of its authorized employees.

(C) *The size and type of meter*. An applicant may request and receive any size meter regularly stocked or furnished by the Water Department, provided the request is reasonable and further provided that the meter is not greatly oversized or undersized, as determined by the Water Superintendent. The Water Department reserves the right to determine the type of meter to be installed.

(D) *Location of meters.* Meters shall normally be placed at the curb or property lines. The meter will be installed wherever the applicant desires within reason, but the location must be

approved by the Water Department. The meters will not be located in driveways or other locations where damage to the meter or its related parts may occur.

(E) *Joint use of meters.* The joining of several customers to take advantage of the single minimum charges and large quantity rates shall be prohibited, except under special contract, in writing, with the City Council.

(F) *Changes in size or location.* If for any reason a change in the size of a meter and service is required, the installation will be accomplished on the basis of a new connection, and the customer's application shall be amended. Meters or services moved for the convenience of the customer will be relocated only at the customer's expense.

(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

§ 51.09 WATER RATES AND CHARGES.

The water rates to be charged for each class of service, including minimum charges, charges for water consumption, service connection charges, and all other related fees and charges shall be as established by resolution or ordinance of the Council, as may be amended from time to time.

(Ord. 98-471, passed 5-4-1998; Ord. 493, passed 5-2-2001)

§ 51.10 NOTICES.

(A) *Notices to customers.* Notices from the Water Department to the customer will normally be given in writing and either mailed to or delivered to him or her at his or her last known address. Where conditions warrant and in emergencies, the Water Department may notify either by telephone or messenger.

(B) *Notices from customers.* Notices from the customer to the Water Department may be given by the customer or his or her authorized representative orally or in writing at the office of the Water Department in the City Hall or to an agent of the Water Department duly authorized to receive notices or complaints.

(Ord. 98-471, passed 5-4-1998)

§ 51.11 BILLING AND PAYMENTS.

(A) *Meter readings.* Meters will be read and customers billed in arrears on the basis of the meter reading to the last 1,000 gallons. The Water Department will keep an accurate account on its books of all reading of meters and the accounts so kept shall be offered at all times, places, and courts as prima facie evidence of the use of water service by the customer.

(B) *Rendering of bills.*

(1) *Billing period.* All meters shall be read and bills rendered therefor monthly.

(2) *Bills for other than normal billing period.* Opening or closing bills, or bills that for any other reason cover a period containing 10% more days or 10% less days than in the normal billing period shall be pro-rated.

(3) *Bills for more than one meter.* All meters supplying a customer's premises shall be billed separately, except that where the Water Department has for operating purposes installed two or more meters in place of one, the reading may be combined for billing.

(C) *Disputed bills.* When a customer disputes the correctness of any bill, he or she shall submit a written request for a hearing by the City Council at its next regularly scheduled meeting, and deposit the amount of the disputed bill, within ten days of receipt of the disputed bill, pending final settlement of the bill or bills. A determination of the City Council after a hearing on a disputed bill shall be final. Any subsequent bills shall be paid or placed on deposit in a similar manner until the dispute is heard by the Council. The customer's service shall not be disconnected while the dispute is pending and for ten days after a decision by the Council is made. Failure of the customer to make such a written request and deposit within ten days shall warrant discontinuance of service as provided under division (F) below and the imposition of any other remedies available under § 51.13(B).

(D) *Failure to read meters.* In the event that it shall be impossible or impractical to read a meter on the regular date, the water consumption shall be pro-rated on the basis of 30 days per month and the total water consumption for billing purposes for that period shall be estimated.

(E) *Payment of bills.* Each bill rendered shall contain the final date on which payment is due. If the bill is not paid by that date, the account shall be considered delinquent, unless other arrangements have been made with the Water Department, in writing, that specify another due date.

(F) *Delinquent accounts.*

(1) *Delinquent notice.* A reminder of account delinquency may be sent, at the discretion of the City Recorder/Administrator, to each delinquent account on or about ten days after the account becomes delinquent.

(2) *Turn-off notice.* On or about 15 days after an account becomes delinquent, a turn-off notice may be sent to the customer. The notice shall state a date on which water will be turned off if the delinquent account is not paid in full prior thereto.

(3) *Service turn-off.* On the turn-off date, the meter reader or other agent of the city shall deliver a written notice to the customer stating that the water service is being turned off until all delinquent amounts have been paid. The meter reader or other agent of the city shall immediately thereafter turn off the service. A delivery to the premises served by the meter shall be considered a delivery to the customer.

(4) *Service charge.* In all instances where water has been turned off because of delinquent accounts, a service charge for the reconnection of services and replacement of cash deposit shall be made as established by resolution of the Council. Effective 3-1-2000, water service shall be reconnected only upon application and replacement of cash deposit by the property owner(s) of record, if the customer account was held in a name other than the owner(s) of record when service was turned off.

(G) *Installment payments of delinquent accounts.* In cases of extreme hardship, the City Recorder/Administrator shall have the discretion of renewing service to a delinquent account upon receipt of a satisfactory installment payment agreement for the overdue amount, provided that new billings remain current.

(Ord. 98-471, passed 5-4-1998; Ord. 477, passed 1-31-2000)

§ 51.12 METER ERROR.

(A) *Meter accuracy.* All meters will be tested prior to installation. No meter will be placed in service or allowed to remain in service which is known to have an error in registration in excess of 2% under conditions of normal operations.

(B) *Meter test.*

(1) *Standard test.* Meter tests will be conducted in accordance with standards of practice established by the American Water Works Association.

(2) *On customer request.* A customer may, giving not less than seven-days' notice, request the Water Department to test the meter servicing his or her premises. The Water Department will require the customer to deposit the testing fee. This fee shall be $25, or as otherwise established by resolution of the Council, for meters three-fourths inch and smaller, and for meters larger than three-fourths inch shall be an estimate of the cost of testing the meter as determined by the Water Superintendent. The deposit will be returned to the customer if the test reveals the meter to over-register more than 2% under the standard test conditions, otherwise, the deposit shall be retained by the Water Department. Customers may, at their option, witness any meter test which they request.

(3) *On Water Department request.* If, upon comparison of past water usage, it appears that a meter is not registering properly, the Water Department may, at its option, test the meter and adjust the charges accordingly if the meter either over-registers or under-registers. No charge for meter testing will be made to the customer for the meter test under these conditions.

(C) *Adjustments of bill for meter error.*

(1) No credit or debits will be borne by the city or the customers should the tested meter show variance high or low, from the accuracy defined in division (A) above.

(2) The Water Department will bill the customer for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditions.

(Ord. 98-471, passed 5-4-1998)

§ 51.13 DISCONTINUANCE OF SERVICES.

(A) *On customer request.* Each customer about to vacate any premises supplied with water service by the Water Department shall give the Water Department written notice of his or her intentions at least two-days prior thereto, specifying the date service is to be discontinued; otherwise, he or she will be responsible for all water supplied to the premises until the Water Department shall receive notice of the removal. At the time specified by the customer that he or she expects to vacate the premises where service is supplied or that he or she desires service to be discontinued, the meter will be read and a bill rendered which is payable immediately. In no case will the bill be less than the monthly minimum specified in the schedule applying to the class or classes of service furnished.

(B) *Remedies for nonpayment of bills.* A customer's water service may be discontinued if the water bill is not paid in accordance with the procedures listed in § 51.11(C), (F), or (G). Additionally, if any billing for rates, fees, or other charges is not paid within 90 days of the date it became due, or 90 days after the date the Council determined that a disputed bill was due, by any such person, firm, or corporation, the amounts so unpaid may be certified by the

city to the County Assessor, and shall be assessed by him or her against the premises served, as provided by law, and shall be collected and paid over to the city in the same manner as other taxes are assessed, collected, and paid over, with interest. Interest on unpaid bills shall run from the due date thereof at the rate of 8% per annum, or as otherwise established by resolution of the Council. The unpaid charges may also be recovered in an action at law in the name of the city, with interest as aforesaid. These remedies are not mutually exclusive and shall be in addition to any penalty assessed under § 51.99.

(C) *Nonpayment of sewer service charges.* If sewer service charges are not paid when due by any such person, firm, or corporation whose premises are serviced or who are subject to the charges herein provided, water service provided to that customer by the City Water Department may be discontinued because of the default in the payment of the sewer service charges.

(D) *Improper customer facilities.*

(1) *Unsafe facilities.* The Water Department may refuse to furnish water and may discontinue service to any premises without prior notice where plumbing facilities, appliances, or equipment using water are dangerous, unsafe, or not in conformity with the plumbing code of the state.

(2) *Cross-connections.* A cross-connection is defined as any physical connection between the Water Department's system and another water supply. The State Health Division and the U.S. Environmental Protection Agency prohibit cross-connections. The Water Department will not permit any cross-connection and will discontinue service to any persons or premises where a cross-connection exists. Service will not be restored until the cross-connection is eliminated. Customers using water from one or more sources in addition to receiving water from the Water Department on the same premises shall maintain separate systems for each; and comply with all aspects of Chapter 52.

(E) *Water waste.* Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the Water Department may discontinue service if the conditions are not corrected after due notice by the Water Department.

(F) *Service detrimental to others.* The Water Department may refuse to furnish water and may discontinue service to any premises where excessive demands by one customer will result in inadequate service to others.

(G) *Fraud or abuse.* The Water Department will refuse or discontinue service to any premises where it is deemed necessary to protect the Water Department from fraud or abuse. Discontinuance of service from one or both of these causes will be made immediately upon receipt of knowledge by the Water Department that the condition or conditions exist.

(H) *Unauthorized turn-on.* Where water service has been discontinued for any reason and the water is turned on by a customer or other unauthorized person, the water may then be shut off at the main or the meter removed. The charges for shutting off the water at the main or removing the meter shall be computed at actual cost to the Water Department plus 15% overhead, but not less than $50, or as otherwise established by resolution of the Council. These charges shall be billed to the offending customer and water shall not be furnished to the premises or customer until the charges are paid and the Water Department has reasonable assurance that the violation will not reoccur.

(I) *Noncompliance with regulations.* The Water Department may, upon five-days' notice, discontinue service to a customer's premises for failure to comply with any of the provisions of these regulations.

(Ord. 98-471, passed 5-4-1998)

§ 51.14 RECONNECTION OF SERVICE.

Reconnection of service after discontinuance for nonpayment of bills shall be made after payment of current and past due charges and posting a deposit pursuant to § 51.11(F)(4). Reconnection of service after discontinuance of service for any other reason, such as unsafe facilities, water waste, fraud, abuse, or noncompliance with any of the policies, rules, and regulations will only be made after the irregularity has been corrected and the Water Department has been assured that the irregularity will not reoccur. The reconnection charges shall be made as established by resolution of the Council, plus any other charges or costs due or past due that the Water Department may have incurred to correct the irregularity.
(Ord. 98-471, passed 5-4-1998)

§ 51.15 UNUSUAL DEMANDS.

When an abnormally large quantity of water is desired for filling a swimming pool, log pond, or for other purposes, arrangements must be made with the utility prior to taking the water. Permission to take water in unusual quantities will be given only if the Water Department facilities and other customers are not inconvenienced.
(Ord. 98-471, passed 5-4-1998)

§ 51.16 ACCESS TO PROPERTY.

All duly appointed employees of the Water Department, under the direction of the Water Superintendent, shall have free access at all reasonable hours of the day to perform all necessary repairs, maintenance, inspections, and meter readings. The Water Department does not, however, assume the duty of inspecting the customer's line, plumbing, and equipment, and shall not be responsible therefor. Denial or hindrance in any way to any city official or employee of the Water Department in the performance of his or her duties shall constitute cause for immediate termination of all service without further notification.
(Ord. 98-471, passed 5-4-1998)

§ 51.17 RESPONSIBILITY FOR EQUIPMENT.

(A) *Responsibility for customer equipment.* The Water Department shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing, or equipment, nor shall the Water Department be liable for loss or damage due to interruption of service or temporary changes in pressure. The customer shall be responsible for valves on his or her premises being turned off when the water service is turned on.

(B) *Responsibility for Water Department equipment.* Water Department equipment on the customer's premises remains the property of the Department and may be repaired,

replaced, or removed by the Department employees at any time without consent of customer. No payment will be made to the property owner for the right to install, maintain, replace, or remove Water Department equipment on his or her premises. The property owner must keep vicious dogs or other animals secured or confined to avoid interference with the utility operation, maintenance, and reading of meters.

(C) *Damage to Water Department distribution system, facilities, and equipment.* The customer shall be liable for any damage to distribution system, facilities, and equipment owned by the Water Department which is caused by an act of the customer, his or her tenants, agents, employees, contractors, licensees, or permitees. Damage shall include, but not be limited to, breaking of seals and locks, tampering with meters, injury to meters, injury to distribution lines, including, but not limited to, damage by hot water or steam and damaged meter boxes, curb stops, meter stops, and other appurtenances. Failure to make restitution in full within 90 days of notice and billing shall result in a lien being assessed against the customer's property, as provided for in § 51.13(B).

(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

§ 51.18 FIRE HYDRANTS.

(A) *Operation.* No person or persons other than those designated and authorized by the Water Department shall open any fire hydrant belonging to the Water Department, attempt to draw water from it, or in any manner damage or tamper with it. Any violation of this regulation will be prosecuted according to law. No tool other than special hydrant wrenches shall be used to operate a hydrant valve. In cases where a temporary service has been granted and received water through a fire hydrant, an auxiliary external valve will be provided to control the flow of water.

(B) *Moving a fire hydrant.* When a fire hydrant has been installed in the locations specified by the proper authority, the Water Department has fulfilled its obligation. If a property owner or other party desires to change the size, type, or location of the hydrant, he or she shall bear all costs of the changes. Any changes in the location of a fire hydrant must be approved by the Water Department and the Fire Department.

(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

§ 51.19 SUSPENSION OF RULES.

No employee of the Water Department is authorized to suspend or alter any of the policies, rules, and regulations cited herein without specific approval or direction of the City Council, except in cases of emergency involving loss of life or property or which would place the water system operation in jeopardy.

(Ord. 98-471, passed 5-4-1998)

§ 51.20 EASEMENTS.

Each applicant and user, as a condition of service, gives and grants to the city an easement and right-of-way in, on, across, and under his or her property for the installation and maintenance of water lines, water meters, and the necessary valves and equipment in connection therewith.
(Ord. 98-471, passed 5-4-1998)

GENERAL PROVISIONS

§ 51.35 WATER PRESSURE REGULATORS.

Upon the sale or transfer, by contract, deed, or otherwise, of any property served by the city water system, the new owner of the property shall forthwith cause to be installed a water pressure regulator on the owner's side of the curb cock so as to restrict the amount of water pressure to the property to not more than 80 pounds per square inch. If it is shown that the water pressure to any certain piece of property does not ever exceed 80 pounds per square inch, then this section shall be of no force and effect with respect to the property.
(Ord. 395, passed 5-5-1980) Penalty, see § 51.99

§ 51.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person violating any of the provisions of §§ 51.01 through 51.20 shall, upon conviction thereof, be punished by a fine not exceeding $500. Each day's violation constitutes a separate offense. This penalty shall be in addition to any other remedies available to the city.
(Ord. 98-471, passed 5-4-1998)