



# Notice of Public Works Committee Meeting

## AGENDA

### PUBLIC WORKS COMMITTEE - CITY OF FALLS CITY, OREGON



Meeting Location: 320 N Main Street, Falls City  
Meeting Date: Thursday, June 27, 2019 6:00 PM  
Posted on June 21, 2019

**1. Call to order**

Roll Call: Chair Jennifer Drill \_\_\_\_ Jeff Propp \_\_\_\_ Mike McConnell \_\_\_\_ Guy Mack \_\_\_\_  
Tony Meier \_\_\_\_ Cliff Lauder \_\_\_\_ Gordon Hanson \_\_\_\_

**2. Pledge of Allegiance**

**3. Motion to adopt the entire agenda**

**4. Consent Agenda: Motion Action Approving Consent Agenda Items**

A. Public Works Committee Meeting Minutes May 23, 2019 (p. 1-2)

**5. Public Comments:** Citizens may address the Committee or introduce items for Committee consideration on any matters. The Committee may not be able to provide an immediate answer or response, but may direct staff to follow-up on any questions raised. Out of respect to the Committee and others in attendance, please limit your comment to five (5) minutes. Please state your name and city of residence for the record.

**6. Old Business**

a. Shared Sewer Tanks (p. 3-8)

**7. New Business**

a. Utility Deposit and Billing Policies (p.9-25)

**8. Correspondence, Comments and Ex-Officio Reports**

**9. Adjourn**

**City of Falls City**  
**Public Works Committee Meeting**  
Thursday May 23, 2019, 6:00 p.m.  
Meeting Location: 320 N Main Street, Falls City, OR 97344

**Committee Members Present**

Tony Meier, Mike McConnell, Cliff Lauder, Jeff Propp, Gordon Hanson, Guy Mack.

**1) Call to Order**

Vice Chair McConnell called the meeting to order at 6:00 p.m. Chair Drill absent. New Committee Member Jeff Propp was welcomed to PWC. Gordon Hanson arrived at 6:10 pm.

**2) Pledge of Allegiance**

Vice Chair McConnell led committee in the Pledge of Allegiance.

**3) Motion to Adopt the entire agenda**

Vice Chair McConnell requested that Water Billing Policy be added to the agenda for Public Works Committee review.

A motion was made by Vice Chair McConnell and seconded by Member Mack: To adopt the entire Agenda with addition of Water Billing Policy Review. Motion carried 5-0-0 Ayes. Tony Meier, Mike McConnell, Cliff Lauder, Jeff Propp, Guy Mack.

**4) Consent Agenda: Motion Action Approving Consent Agenda Items**

**A.** Public Works Committee Minutes March 21, 2019.

**B.** Public Works Committee Minutes April 25, 2019.

A motion was made by Committee Member Mack and seconded by Committee Member Meier approving Consent Agenda items A and B. Motion carried 3-0-0 Ayes. Tony Meier, Gordon Hanson, Guy Mack.

**5) Public Comments**

None

**6) Old Business**

None

**7) New Business**

**A.** Memorandum: Lagoon Opposition Terry Jordan, Polk County Resident  
Committee Member Lauder stated that this is primarily a "Perception" or "Misperception" problem of the type of Lagoon system proposed. Along with Committee Member Hanson, they suggested that the City inform residents and affected nonresidents of the type of system envisioned and the pluses/minuses of said system. Vice Chair McConnell suggested an Action Item: Public Works Committee requests any information or documentation pertaining to similar "sewer/lagoon" systems that the City has obtained. Committee members agreed.

**B.** Shared Sewer Tanks

Committee recognized the major obstacle in achieving equity in billing for shared tanks and the fiscal stability of the Wastewater System is that the number of users is insufficient to produce the income needed to cover maintenance and pumping charges. Committee Member Meier commented that thought has been given to basing a fee on water usage, but that may penalize those with extensive garden or lawn watering use. Vice Chair McConnell mentioned the possibility of basing the fee on metering water flowing into tanks. Committee Member Hanson mentioned raising rates to meet system operating and maintenance needs. Committee Member Mack questioned charging Commercial Business users the same as Residential

101

users as businesses usually burden the system to a greater extent. Committee Member Propp mentioned the possibility of constructing a new Sewage Treatment Facility to eliminate pumping.

Committee requests simple a breakdown of how many shared tanks and how often pumped, how many 1000 gallon tanks and how often pumped and how many other smaller tanks and how often they are pumped.

**C. West Coast Cross Contamination Backflow Testing Contract - FYI**

**D. Event Volunteer Recruitment Needed - FYI**

Committee is urged to spread the word that volunteers are needed for many civic projects.

**E. Review Water Billing Policy**

Vice Chair McConnell stated that the City charges new customers a connection fee (\$65.00) and then bills the customer for prior months usage. He suggested the City also charge a one month base water fee to be held as a deposit. Committee recommends City Administration/ Staff explore this possibility. No motion made.

Member Hanson had to leave to attend another meeting.

**8) Correspondence, Comments and Ex-Officio Reports**

The Next Public Works Committee Meeting will be held June 27, 2019, 6:00 p.m.

A motion was made by Committee Member Lauder and seconded Committee Member Meier that the Public Works Committee meet once a month on the fourth Thursday at 6:00 p.m. Motioned carried 5-0-0. Ayes: Tony Meier, Cliff Lauder, Mike McConnell, Jeff Propp, Guy Mack.

A motion was made by Committee Member Meier and seconded by Committee Member Mack that any member of the Public Works Committee can request an Item being added to the Meeting Agenda by contacting City Staff. Motioned carried 5-0-0. Ayes: Tony Meier, Cliff Lauder, Mike McConnell, Jeff Propp, Guy Mack.

**9) Adjourn**

A motion was made by Committee Member Mack and seconded by Committee Member Meier to adjourn the meeting. Motion carried 5-0-0. Ayes: Tony Meier, Cliff Lauder, Mike McConnell, Jeff Propp, Guy Mack.

The meeting was adjourned at 7:12 PM.

Signed: \_\_\_\_\_ Public Works Committee Member

Attested: \_\_\_\_\_ Public Works Committee Member

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## AGENDA REPORT

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**TO:** PUBLIC WORKS COMMITTEE  
**FROM:** JoHanna Birr, City Clerk  
**SUBJECT:** SHARED SEWER TANKS  
**DATE:** 6/11/2019

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### SUMMARY

It has come to staff's attention of the need for a fairer user based sewer rate. This is related directly to sewer pumping costs especially on shared tanks. Currently, there are thirty (30) shared tanks in the system. Three of these tanks serve three (3) users each. Two (2) tanks are shared by residential and commercial users. One user may dominate the wastewater with multiple household users while, another user has very little usage and pays the same flat rate of \$46.00. Commercial businesses pay the same as residential users but attract a higher volume of users adding burden to the system. A total of 177 users are on the system.

There are 112 one-thousand gallon tanks on the system with these being residential and the smallest as listed in the shared tank chart presented to Committee in May. A pumping schedule has been developed during the last few years to bring all to a regular rotation as use (solids) dictate. The cost to pump these tanks is \$395.00 and pay \$552.00 annually to utilities.

However, the staff issue presenting to Committee for recommendation is the unfair burden businesses are placing on citizens and the city for pumping 1250 gallon tanks twice per year. \$46.00 multiplied by 12 months is \$552.00 when the actual pumping cost is \$964.00 annually. Citizens are subsidizing costs businesses have created. Two 3000 gallon tanks at the schools each cost \$1,095.00 per pump per year equating \$2,190.00. The schools' sewer rates are \$239.00 per month multiplied by 12 is \$2868.00.

Sewer rates range widely among utilities and depend on numerous factors, including economies of scale, access to loans and other factors listed above. In most cases, the cost for processing wastewater have outpaced the cost for processing drinking water. Some providers charge a flat rate per residential/commercial customer while, other's choose a metered or volumetric option. With most sewer utilities, the majority of costs including the costs of wastewater collection and treatment, do not vary appreciably over time. Any variable costs would likely be minimal. In most cases involving metered wastewater rates, a large portion of the bill is set at a consistent, flat amount.

The City of Charleston, South Carolina states on its website that a customer's sewer bill is based on water use, as much of the water ends up flowing into the sewer system. Their sewer bill includes: Minimum Bill + Volume Charge = Sewer Bill. Falls City charges for water this way. All customers' pay the minimum flat rate. They have also determined that for residential customers without a separate irrigation meter the billable sewer is 95% of water consumption. All other classes are billed for sewer based on 100% of water use.

### BACKGROUND

Beginning August 2016, staff worked together to collect the spreadsheets, handwritten lists, and the list of sewer tanks contained in the Wastewater Facility Plan as well as consulting maps and confirming with Public Works on errors or updates. The different lists were reconciled and the Utility Billing system was updated to include all known activities for sewer tank pumping. In addition, work order codes were

created and used to document which service addresses had a sewer tanks and which shared a sewer tank.

In the past, there were several methods used to track sewer pumping, none of which held all the information needed; spreadsheets were maintained by the past Finance Director, a handwritten list is maintained by Public Works, and over the last eight years the City Clerk entered sewer tank pumping Work Orders in the CUSI Utility Billing Software using information listed on King’s Pumping Invoices.

Staff decided to use CUSI Utility Billing Software to track sewer tank actions. The Utility Billing Software will serve as the “book of record” for the recent history of sewer tank services. Having recent sewer tanks actions entered into the Utility Billing Software will provide the option of reporting at the press of a button. Utility Billing Software reports for sewer tank actions are used by to staff evaluate compliance with the Falls City DEQ National Pollutant Discharge Elimination System (NPDES) Waste Discharge Permit, improve compliance with the NPDES Permit, and allow staff to prepare fiscal year budgets for sewer tank pumping and maintenance going forward. Establishing a sewer tank pumping and maintenance schedule, supported by a sound fiscal year budget, is most prudent and economical to save the aged and failing sewer collection system from undo stress.

Falls City is required to comply with DEQ NPDES Permit (#101808). Maintenance activities include:

*The permittee shall implement preventative maintenance practices or corrections in accordance with the following time schedule:*

1. *All septic tanks connected to the City's wastewater collection system are to be inspected and tested for depth of sludge and scum every two years,*
2. *Pump residential septic tanks either when sludge and scum volume exceeds 25% of the liquid capacity of the tanks or every five years, whichever is less; commercial septic tanks either when sludge and scum volume exceeds 25% of the liquid capacity of the tanks or every four years, whichever is less.*
3. *Clean pump screens when 25% of the screen surface area becomes clogged.*
4. *Pump solids from each recirculation tank a minimum of once every five years*

**PREVIOUS COMMITTEE ACTION**            N/A

**STAFF RECOMMENDATION**            N/A

**EXHIBIT**  
Exhibit A – Pump Frequency

**PROPOSED MOTION**                    N/A

# Exhibit A

Tanks- Known Users				
Location		Septic Tank Size	Pump Frequency	Last Pump
1st	150	1000	2 yr	2010
1st	153	1000		2010
2nd	250	1000	2 yr	2018
2nd	253	1000	3 yr	2018
3rd	111/407/409	1000	3 yr	2018
3rd	154	1000	2 yr	2017
3rd	153/159	1250	3 yr	2019
3rd	161/404 N Main	1250	2 x yr	2019
4th	162	1000	17 yr	2018
4th	169	1000		2001
5th	260	1000	10 yr	2018
5th	465/371	1250	3 yr	2018
5th	475	1000	5 yr	2012
5th	496	1000	16 yr	2002
5th	498	1000		No work orders
5th	551	1000	3 yr	2018
5th	555	1500	4 yr	2018
5th	580	1000	15 yr	2018
6th	268/556 Mitchell	1250	4 yr	2015
6th	390	1500		2015
Alan	370	1000		No work orders
Alan	390	1000	2 yr	2018
Alan	400	1500	14 yr	2010
Alder	379	1000	1-2 yr	2018
Alder	390	1000	14 yr	2018
Alder	455/661 Bryant	1250	2 x yr	2017
Alder	589	1000	15 yr	2016
Alder	394	1500		No work orders
Alder	480/452 Fair Oaks	1250	15 yr	2016
Alder	570	1000	9 yr	2017
Alder	398	1000	2010	2003
Boundary	380	1000	vacant	2002
Boundary	381	1000	16 yr	2018
Boundary	85	1000	3 yr	2018
Boundary	88	1000	14 yr	2018
Bridge	150	1000	5 yr	2014
Bridge	141	1000		2011
Bridge	112	1000	16 yr	2018
Bridge	221	1000	12 yr	2018
Bridge	134	1000	8 yr	2018
Bridge	285	1000		2012
Bryant	575	1500		2017
Bryant	676	1000		2012
Bryant	559	1500		2006
Bryant	560	1000	17 yr	2018

Bryant	561	1000		2010
Bryant	564	1000	10 yr	2018
Bryant	672	1000	10 yr	2018
Bryant	673	1000		2001
Bryant	676	1000		2012
Bryant	671	1000		2017
Bryant	669	1000	16 yr	2018
Carey	135/137	1500	7 yr	2017
Carey	132/134	1500		2011
Carey	131/Vlot	1500		2018
Carey	136/138	1500		2015
Dayton	166/180	1250	11 yr	2017
Dayton	156	1000		2001
Dayton	171	1000		No work orders
Dayton	159/163	1250	5 yr	2017
Ellis	166	1000	9 yr	2017
Ellis	167/169/171	1250		2011
Fair Oaks	258	1000	4 yr	2018
Fair Oaks	197	1000		2019
Fair Oaks	381/234 Prospect	1000	annual	2019
Fair Oaks	271	1000	13 yr	2016
Fair Oaks	390/368	1250		2004
Fair Oaks	290/490 Wood	1250	4 yr	2018
Fair Oaks	494	1000		2016
Fair Oaks	360/364	1250	14 yr	2016
Fair Oaks	280	1000	4 yr	2014
Fair Oaks	281	1000	3 yr	2011
Fair Oaks	496	1000	6 yr	2016
Fair Oaks	498	1000		2016
Fair Oaks	368/390	1250		2004
Hopkins	513	1000		2017
Hopkins	520	1500		2008
Hopkins	521	1000	16 yr	2016
Mill	273	1000	6 yr	2018
Mill	279/299	1250	4 yr	2017
Mitchell	405	3000	annual	2018
Mitchell	670	1000	4 yr	2018
Mitchell	554	1000		2013
Mitchell	557	1000		2007
Mitchell	558	1000		2010
Montgomery	101	1500		2008
Montgomery	130	1000		2011
N Main	72	1000	10 yr	2018
N Main	212/216	1250	2 yr	2010
N Main	217	1000	2 yr	2019
N Main	242	1000		2001
N Main	318/320	1250	2 x yr	2019
N Main	321	1000		No work orders
N Main	319	1000		2017

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N Main	420/418a/418b	1250	2 yr	2018
N Main	303	1000		2001
N Main	108/118	1250	2 yr	2017
N Main	304/306	1250	annual	2017
N Main	79	1000	15 yr	2017
N Main	80	1500		2017
N Main	85	1000		2017
N Main	401	1000		2001
N Main	93	1000	16 yr	2017
N Main	422	1500		2017
N Main	407/409/111	1250	3 yr	2018
N Main	205	1000		2001
N Main	281/285	1250	annual	2018
N. Main	404/161 3rd	1250	2 x yr	2018
N. Main	98/86	1250	1-3 ur	2018
N. Main	86/98	1250	annual	2018
N. Main	284	1000		2001
N. Main	314	1000		2008
N. Main -High school	111	3000	annual	2018
Parry	123	1000		2001
Parry	211	1000		No work orders
Pine	256	1000	17 yr	2018
Pine	456	1000		2008
Pine	199	1000		2018
Prospect	476	1000	2 yr	2018
Prospect	485/495	1250	2 yr	2018
Prospect	61	1000	2 yr	2017
Prospect	65	1000		2001
Prospect	68	1000		2018
Prospect	77	1000		2018
Prospect	235	1500		No work orders
Prospect	486	1000		2017
Prospect	479	1000	17 yr	2018
Prospect	90	1000	2 yr	2018
Prospect	100	1000		2014
Prospect	461	1000		2011
Prospect/Grade School	177	3000	annaul	2018
Prospect	471	1000	7 yr	2018
S Main	240	1000		2012
S Main	120	1000		2009
S Main	10	1000	vacant	2001
S Main	32	1000	2 yr	2018
S Main	36	1000	13 yr	2018
S Main	26	1000		2011
S Main	110	1000		2011
S Main	130	1000		2014
S Main	246	1000		2018
S Main	260	1000	6 yr	2017
S Main	288	1500		2006

107

S Main	280	1500		2006
S Main	360	1000	3 yr	2016
S Main	380	1000	7 yr	2018
S Main	383	1000		2018
S. Main	220	1000	3 yr	2014
Sheldon	34	1000		2008
Sheldon	26	1000		2010
Terrace	445	1000		No work orders
Terrace	435	1000		2012
Terrace	439	1000		2012
Wood	390	1000		2008
Wood	560	1000	7 yr	2016
Wood	580	1000	13 yr	2018
Wood	592	1000		2016

82

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## AGENDA REPORT

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**TO:** PUBLIC WORKS COMMITTEE  
**FROM:** JoHanna Birr, City Clerk  
**SUBJECT:** UTILITY DEPOSIT AND BILLING POLICIES  
**DATE:** 6/11/2019

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### **SUMMARY**

Billing policies are enclosed within the Falls City Municipal Code Chapter 51. A simple outline of the billing process was created by Clerk Birr in 2018 and posted to the web as well as handed out to new customers to familiarize them with our schedules. Due to other city business, this works the best for our ever increasing workload schedules.

Unpaid utility charges on vacant homes are liened immediately in the owner's name according to Polk Co. Assessor's records while extended shutoffs are done if 60 days past due. Liens are updated and loaded into NetAssets online once per month or as necessary and charged 8% per annum. Lien searches can be performed by outside entities with staff permission then contact us with a closing date for a final billing, breakdowns and transaction summary showing unpaid charges. We charge \$35.00 for lien searches to cover staff time and materials.

We do not charge a fee to new account holders but do charge for reconnections whether due to nonpayment or seasonal.

Deposits were once collected and the process for this is also included in Chapter 51 however, all remaining deposits were either applied to accounts or refunded as the customer wished. Deposits were held in a separate bank account which could not draw interest or be used for any city business. Accounts were reviewed twice per year and those accounts in good standing with zero late or missed payments were dispersed as above. It was decided in 2011 that this step was unnecessary as a customer will go into shut off for nonpayment and the option of holding the property owner responsible was the best option to collect funds owed rather than paying a collection agency.

During 2017, a customer moved to a retirement home, sold her property and requested her \$80.00 cash deposit be returned to her from 2004. She sent a copy of the receipt along with a letter. Clerk Birr found the original receipt and application in archives and a 2011 Excel refund worksheet listing "no deposit was listed on the application" on the computer.

### **BACKGROUND N/A**

**PREVIOUS COMMITTEE ACTION** N/A

### **STAFF RECOMMENDATION**

Previous staffs have researched and determined holding deposits, tracking and refunding is unnecessary for conducting city utility business. Current staff agrees with 2011 decision to stop taking deposits and believes eliminating any possible temptation in procedures is best policy for the city.

### **EXHIBIT**

Exhibit A- 2016-2017 Write- offs, Utility policies and Chapter 51 Falls City Municipal Code

**PROPOSED MOTION** N/A

Account ID	Service ID	Service Address	Account balance	Write off	Recommend Write off description	Property Lien?	Verified to Utility Sys
1012	666	134 Carey Ct.	\$ 57.50	\$ 57.50	Home sold without lien search. New owner will not respond. Lives in Hawaii.	Y	Y
118	180	31 N Main	\$ 28.51	\$ 28.51	Owner moved out of state with no forwarding address. Renter moved in without notice to staff.	N	Y
210	413	339 Montgomery	\$ 130.48	\$ 130.48	Moved without notice. No forwarding address.	N	Y
510	570	137 S Main	\$ 66.96	\$ 66.96	Sent staff a cash receipt for \$80 deposit made by previous clerk. Historical research revealed application marked as NO DEPOSIT ON APPLICATION. Original was given to City Manager for review. Clerk will attest to receiving copy of deposit slip, and that zero documentation can be found of staff planning to or refunding said deposit.	N	Y
773	612	279 Mill	\$ 162.35	\$ 162.35	Inactive meter pulled after house fire. Property sold with no lien search. Owner left new buyer with past billing also.	N	Y
969	554	360 5th St.	\$ 49.11	\$ 49.11	360 5th St. final bill not paid. \$49.11 has been applied to current account at 494 Fair Oaks St. City Manager- chose to write off 49.11. Due to hardship. Customer must speak to City Manager before entering into another payment agreement within 6 months.		
				\$ 494.91	<b>Total Write Offs</b>		

Exhibit A

Original \$80.00 deposit made in 2004.  
 Historical list of refunds made in 2011.

## CHAPTER 51: WATER

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### Section

#### *Rules and Regulations*

51.01	Short title; scope
51.02	Definitions
51.03	Service area
51.04	Description of service
51.05	Application for service
51.06	Main extension
51.07	Services
51.08	Meters
51.09	Water rates and charges
51.10	Notices
51.11	Billing and payments
51.12	Meter error
51.13	Discontinuance of services
51.14	Reconnection of service
51.15	Unusual demands
51.16	Access to property
51.17	Responsibility for equipment
51.18	Fire hydrants
51.19	Suspension of rules
51.20	Easements

#### *General Provisions*

51.35	Water pressure regulators
51.99	Penalty

#### ***Cross-reference:***

*Cross-Connection Control, see Ch. 52*  
*Sewers, see Ch. 50*  
*Solid Waste Management, see Ch. 53*

## 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.

P11

(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.

*plz*

(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.

013

(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.

014

(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%.

P15

(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.

P/16

(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

1017

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.

018

(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.

2/19

(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

420

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.

1201

(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,

022

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 permittees. 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.**

423

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)

024

## **Utilities**

The City of Falls City provides water utilities to inside and several outside city limit residents. Sewer utilities are available to a limited portion within city limits only. Utilities are billed in arrears, typically on the 26th and mailed by the last day of the month.

All applications must be accompanied by proof of property ownership and owner(s) signature and contact information. Property owner(s) are ultimately responsible for unpaid utility account(s). Account balances must be paid in full before the transfer of utility services can be assigned to another account.

Delinquent notices for customers in danger of shut off are generated and mailed on or about the 5th of each month. Notices are mailed to the person authorized on the account. If a renter or agent is not listed on the account, they will not receive a notice. It will be mailed to the owner of the property. This is also true with billing statements.

Please contact City Hall if your mailing address has changed. The City is not responsible for unread, lost or returned mail.

Payment for water and sewer service is due the 15th of every month. Service will be disconnected, with notice, if account is 30 days past due. A reconnection fee of \$35 will be applied to the account once a shut off tag has been *issued* to Public Works at noon for disconnection whether the service is physically shut off or not.

Past due accounts are charged a \$10/residential and \$20/business penalty on the morning of the 26th of each month (following a 10 day grace period 15th-25th).

Customers are required to pay the full account balance prior to reconnection. Our reconnect fee is \$35 during regular Public Works business hours 7am-4pm and \$65 after hours, weekends and holidays.

Change of ownership to existing services, please allow 24- 48 hours for reconnection and have someone present at that scheduled time.

## **Payments**

We do accept online credit card payments at this time. Go to [www.fallscityoregon.gov](http://www.fallscityoregon.gov) Stripe charges \$2.50 or 3% whichever is greater. Cash payments may be made during regular business hours. Check and Money Order payments may be placed in the City Hall drop box at any time.

Auto payments may be arranged in person or online with your financial institution to snail-mail physical checks to City Hall and then be processed to your account. Please add your account number and physical address of utility service to be paid to your check information. Arrange for payments to reach City Hall by regular mail *before* the 15th of each month.

p25

