

# City Code Chapter 30

## Water

**Article 1. General Conditions, §§ 30-1--30-36**

**Article 2. Meters, §§ 30-37--30-58**

**Article 3. Rates and Charges, §§ 30-59--30-75**

**Article 4. Water and Sewer Fund, §§ 30-76--30-83**

### Article 1. General Conditions

**Sec. 30-1. Reserved.**

**Sec. 30-2. Use Restricted.**

No person shall make, construct, or install any water service installation or make use of any service connected to the municipal system except in accordance with the provisions of this Chapter. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-3. Resale of Municipal Water.**

No person shall resell water from the municipal water system without authority from the City. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-4. Turning on Water.**

No person shall turn on any water supply at the stop box without permission from the City. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-5. Tapping of Mains Prohibited.**

Only a tapper authorized by the City shall tap any distributing main or pipe of the municipal water supply system or insert stopcocks or ferrules on the system. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-6. Connection Permit Required.**

(1) There shall be a connection charge for each connection to the municipal water main. The connection charge shall be determined by the size of the water meter installed to meter usage. The connection charge shall be established by ordinance. (Ord. No 751, 11-13-2007)

(2) The charge shall be paid when the building permit is issued for new construction requiring a connection.

(3) The meter payment or deposit shall accrue to the City in lieu of the connection charge for connections with a meter which existed as of December 12, 1979.

(4) The water connection charge may be refunded for a building that is razed provided that the meter is returned in working order. (Code 1966; Ord. No. 225, 8-8-67; Ord. No. 470, 12-26-79; Code of 1988; Code of 2001)

**Sec. 30-7. Permit Application.**

(1) Application for a permit shall be made on a form as prescribed by the City. The application shall be made by the property owner or by a duly authorized agent who is to do the work.

(2) The application shall include the information requested by the City. The permit may be suspended for any misrepresentation in the application. The permit may be revoked if the misrepresentation appears to be willful. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-8. Deficiency of Water.**

(1) The City shall not be liable for any deficiency or failure in the supply of water to consumers whether occasioned by shutting the water off for the purpose of making repairs or connections or from any other cause whatsoever.

(2) In case of fire or alarm of fire, the City may shut off the water to insure a supply for fire fighting.

(3) In making repairs or constructing new works, the City may shut off the water at any time and keep it shut off so long as deemed necessary. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-9. Access to Buildings.**

Personnel authorized by the City shall have free access at reasonable hours of the day to all parts of every building and premises connected to the municipal water system. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-10. Restrictions of Usage.**

The City Council is empowered to establish limited days and hours for the sprinkling and watering of yards and gardens or other usages of water from the municipal water system. The limitations shall be specified by resolution. (Code 1966; Ord. No. 264, 5-12-70; Code of 1988; Code of 2001)

**Sec. 30-11. Emergency Restrictions.**

(1) The City Manager may declare a water system emergency whenever it is determined that a shortage of water or threat of water shortage will or may endanger the health, safety, or general welfare of the public.

(2) During an emergency, the City Manager may limit the times and hours when water may be used from the municipal water system for lawn and garden sprinkling, irrigation, car washing, air conditioning, or other uses specified in the declaration. The declaration shall be posted at City Hall and published once in the official newspaper as soon as is possible.

(3) After the declaration has been made and posted, a person who is knowledgeable of these terms and does use water from the municipal water system in violation of the declaration shall be guilty of a misdemeanor.

(4) After posting and publication of the declaration, a person who shall violate the declaration shall be guilty of a misdemeanor.

(5) The emergency declaration shall remain in full force and effect until the conclusion of the next regularly scheduled general meeting of the City Council and shall then terminate unless the limitation on the use of water is extended by resolution of the City Council. (Code 1966; Ord. No. 264, 5-12-70; Code of 1988; Code fo 2001)

**Sec. 30-12. Enforcement.**

The City shall investigate and prosecute all violations of Sections 30-10 and 30-11. (Code 1966; Ord. No. 264, 5-12-70; Code of 1988; Code of 2001)

**Sec. 30-13. Evidence.**

Use of water in violation of Section 30-10 or 30-11 shall be prima facie evidence that the use of water was, at the time of the violation, use of water by or under the direction of the resident owner of the premises where the violation occurred. If the owner does not reside at the premises then the usage shall be under the direction of the adult person or persons in control of the property as tenants or managers. (Code 1966; Ord. No. 264, 5-12-70; Code of 1988; Code of 2001)

**Sec. 30-14. Excavation Permit Required.**

Excavation in a public street to service a water main, to make connection to the main, or for any purpose which will expose a watermain shall not be undertaken without a permit or unless authorized by the City. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-15. Excavation for Tapping a Watermain.**

(1) Excavations made for the purpose of making a tap from the municipal watermain shall be at least 2 1/2 feet wide by four feet long inside the curbing. The four feet shall be measured from a point six inches beyond the side of the main opposite to that which is to be tapped and from said point toward the building where the connection is to be made. The excavation shall extend to a depth of at least twelve inches lower than the bottom of the watermain. Ample clear space shall be allowed around the main in all cases to insert the tapping machine. All excavations for tapping shall be safely curbed to the satisfaction of the City.

(2) In case the excavation is not properly made, sufficient clear space is not provided, or the excavation is improperly curbed, the tap shall not be made until the excavation, clear space, and curbing are proper and safe. A safe ladder shall be furnished by the person doing the work for use by the City's Inspector. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-16. Street Openings.**

Street openings shall be made in accordance with the terms of this Section.

(1) Street openings shall be made in a manner that will cause the least inconvenience to the public.

(2) The opening shall provide for passage of surface water along the gutters and one-half of the traveled portion of the street must be at all times in good and safe condition for the passage of vehicles.

(3) All open excavations must be plainly marked at all times with red flags and protected when work is not actually in progress with barricades or railings and at night by lanterns or flares.

(4) Pipes or mains exposed to frost or freezing temperatures shall be protected so as to prevent freezing of the water. In addition to the penalties provided in this Chapter, any person responsible for exposing a municipal main that shall be damaged by freezing, whether the freezing temperature is foreseen or not, shall be liable to the City for all damages caused by the freezing. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-17. Refilling Openings.**

Street openings shall be refilled in accordance with the terms of this Section.

(1) All the earth must be replaced in the trench and thoroughly tamped and the surface of the street shall be restored to as good an order as it was before the excavation.

(2) The restoration shall be completed to the satisfaction of the City.

(3) Dirt and debris from the work must be removed immediately from the public street.

(4) Any person who shall neglect to comply with the requirements of this Section within 24 hours after notice from the City shall be liable to the City for the full cost of restoring the excavated portions of the street. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-18. Ferrules.**

The ferrule inserted in the distributing pipe must be of the size specified in the permit. Every service pipe must be laid with sufficient waving to allow not less than one foot of extra length and in such manner as to prevent rupture by settlement. The service pipe must be placed not less than seven feet below the surface and in all cases so arranged as to prevent rupture from freezing. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-19. Old Ferrules Plugged.**

When new buildings are erected on the sites of old ones and it is desired to increase or change the old water service, no connections with the mains shall be given until all the old ferrules have been removed and the main plugged. If the work completed on behalf of the contractor shall cause or allow any service pipe to be hammered together at the ends to stop the flow of water or save expense in removing the pipe from the main, the contractor of the building shall be guilty of a misdemeanor and shall remove the service pipe from the main. If the contractor shall fail to do so on 24 hours notice, the contractor shall be obligated to pay the City the cost incurred for its removal. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-20. Size of Connections.**

Connections with mains for ordinary domestic supply shall be of a size not less than one inch except with permission of the City. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-21. Pipe Sizes.**

The pipe sizes shall be as specified in this Section. No deviation in size or weights of pipes will be permitted unless a special permit in writing for that purpose is obtained.

- (1) To a one inch ferrule, a one inch pipe shall be attached.
- (2) To two one inch ferrules, a one and one-half inch pipe shall be attached.
- (3) To taps two inches in diameter and over, pipes of the same diameter as the taps shall be attached.
- (4) The recommended maximum size tap in Class 150 cast-iron pipe shall be as follows:

<i>Pipe size in inches</i>	<i>Tap size in inches</i>
4	1
6	1 1/4
8	1 1/2
10	1 1/2
12	2

(Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

### **Sec. 30-22. Stop Boxes.**

Stop boxes shall be installed and maintained in accordance with this Section.

- (1) Service pipes must extend from the main to the inside of the building or if not taken into a building then to the hydrant or other fixtures which it is intended to supply.
- (2) A stopcock accessible from the surface through a sleeve without digging in all cases must be placed outside in a box located at a point not to exceed two feet from the property line or such other suitable place as the City shall determine.
- (3) A shut-off or other stopcock with waste, of the size and strength required, shall be placed close to the inside wall of the building. This shut-off shall be well protected from freezing.
- (4) All stop boxes and stopcocks must conform to the specifications of the City. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

### **Sec. 30-23. Private Water Supplies.**

No water pipe from the municipal water system shall be connected with any pump, well, or tank that is connected with any other source of water supply. When such a connection is found, the City shall notify the owner to disconnect the connection. The water supply shall be turned off if the disconnection is not done immediately. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

### **Sec. 30-24. House Boilers.**

All boilers connected to the municipal water system shall be constructed of sufficient strength to withstand a working pressure of one hundred pounds per square inch. Stopcocks and other appurtenances must have sufficient strength to resist pressure under similar circumstances. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

### **Sec. 30-25. Repairs of Leaks.**

- (1) The water shall be shut off in case of failure upon the part of any consumer or owner to repair any leak to their service pipe within 24 hours after verbal or written notice from the City has been given upon the premises. The water will not be turned on until the leak has been repaired and a service fee paid to the City.
- (2) When the waste of water is great or when damage is likely to result from the leak, the water will be turned off if the repair is not made immediately upon the giving of notice. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-26. Water Service Required.**

(1) Every commercial building and every industrial building occupied by employees or other personnel shall have water service available for sanitation purposes and drinking purposes within the building either by adequate private water supply or by connection to the municipal water service where a watermain exist to serve the property.

(2) The City shall notify the property owner that water service must be made available within thirty days from the date of notification.

(3) Any person failing to comply with the provisions of this Section shall be guilty of a misdemeanor. A conviction shall not bar later recovery for continued or subsequent violation of this Section. (Ord. No. 430, 8-8-78; Code of 1988; Code of 2001)

**Secs. 30-27--30-36. Reserved.**

## **Article 2. Meters**

### **Sec. 30-37. Single Ferrule.**

No more than one dwelling or building shall be supplied from one ferrule except by special permission of the City. Whenever two or more parties are supplied from one pipe connecting with the distribution main, each building or part of building must have a separate stop box at the curb. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

### **Sec. 30-38. Separate Connections.**

All premises served by the municipal water system shall have a separate and distinct service connection and separate meter unless special permission is granted in writing by the City. (Code 1966; Ord. No. 225, 8-8-67; code of 1988; Code of 2001)

### **Sec. 30-39. Meter Required.**

Except as may be otherwise provided and except for municipal purposes, no person shall use water from the municipal water system or permit water to be taken from the system unless the usage is measured by passing through a meter approved by the City. (Code 1966; Ord. No. 345, 12-10-74; Code of 1988; Code fo 2001)

### **Sec. 30-40. Tampering Prohibited.**

Only a person authorized by the City shall connect, disconnect, disassemble, or in any manner change, or cause to be changed, or interfere or tamper with any water meter or the working action of the meter. (Code 1966; Ord. No. 245, 12-10-74; Code of 1988; Code of 2001)

### **Sec. 30-41. Ownership.**

Water meters shall be provided by the City and ownership shall be retained by the City. (Code 1966; Ord. No. 345, 12-10-74; Ord. No. 470, 12-26-79; Code of 1988; Code of 2001)

### **Sec. 30-42. Location and Access.**

The property owner or occupant shall provide a warm, safe place for the water meter. Personnel authorized by the City shall be permitted to enter upon the premises at any reasonable hour to read, repair, or inspect a meter. (Code 1966; Ord. No. 345, 12-10-74; Code of 1988; Code of 2001)

### **Sec. 30-43. Installation.**

All water meters shall be installed in accordance with the rules of this Section.

(1) The bottom of the meter shall not be less than four inches or more than 36 inches from the top of the finished floor line. The meter shall not be set more than twelve inches, as measured horizontally, from the inside line of the building wall.

(2) The service pipe from the municipal watermain shall be brought through the floor in a vertical position so that a connection may be made thereto with an ell to which may be attached the meter and the stop and waste; or, the pipe may be brought through the building floor in a vertical position and bent above the floor at a right angle with the meter and the stop attached in such a manner that the meter shall stand in a proper vertical position. In no case shall there be more than 36 inches of pipe exposed between the point of the entrance through the building floor and the stop and waste. The stop and waste shall be connected directly to the meter.

(3) All meter installations shall have a stop and waste on both sides of the meter that shall connect directly to the tailpiece furnished with the meter.

(4) The water pipe connecting to the municipal watermain shall not be run under any building floor for a distance of more than two feet as measured from the inside line of the building wall before being connected with the water meter. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

### **Sec. 30-44. Maintenance.**

Only personnel authorized by the City shall maintain or repair any water meter connected to the municipal water system. Every water meter shall be sealed in a manner determined by the City. No person shall break or remove the seal. The City shall inspect the installation of the meter at the time it is sealed. (Code 1966; Ord. No. 345, 12-10-74; Code of 1988; Code of 2001)

### **Sec. 30-45. Meter Setting Devices.**

Meter setting devices for 3/4 inch and one inch water meters shall be of copper pipe or tubing from the terminus of the service pipe up to and including the house side valve provided that if copper cannot be obtained, the meter setting device may be of another non-corrodible metal approved by the City. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

**Sec. 30-46. Repair of Damaged Meters.**

The conditions of this Section shall apply to repair of a water meter connected to the municipal system.

- (1) No person shall knowingly use or permit a damaged or defective meter to be used.
- (2) No person shall knowingly or negligently damage or permit damage to be done to a water meter.
- (3) Any person damaging a meter shall cause the meter to be disconnected until properly repaired.
- (4) All meters used to meter municipal water which require repair shall be repaired by the City and the property owner shall pay the City for the cost of the repair unless the need for repair resulted from the action or negligence of the City. The cost of repair shall be determined by the City. (Code 1966; Ord. No. 345, 12-10-74; Ord. No. 470, 12-26-79; Code of 1988; Code of 2001)

**Sec. 30-47. Tests.**

The City will test a water meter on request of any water customer. A fee may be charged if the customer requests this service more than once a year. Additionally, when deemed appropriate by the City, the City may initiate the testing of a meter and access shall be provided in accordance with Section 30-9. There shall be no fee when the request for the test is initiated by the City. (Code 1966; Ord. No. 345, 12-10-74; Code of 1988; Code of 2001)

**Secs. 30-48--30-58. Reserved.**

### **Article 3. Rates, Charges, and Fees**

#### **Sec. 30-59. Accounts in Name of Property Owner.**

Application for water service shall be made upon forms provided for that purpose by the City. All accounts shall be carried in the name of the owner who personally, or by an authorized agent, shall apply for the service. The owner shall at all times be liable for water service consumed upon the premises whether the owner is occupying the property or not. Any charges not paid promptly shall become a lien upon the property. (Code 1966; Ord. No. 225, 8-8-67; Code of 1988; Code of 2001)

#### **Sec. 30-60. Charges Established by Resolution.**

A consumption charge shall be made for use of water from the municipal water system. The rates, charges, and fees required by this Chapter shall be determined by ordinance. (Code 1966; Ord. No. 225, 8-8-67; Ord. No. 470, 12-26-79; Code of 1988; Code of 2001, Ord. No 751, 11-13-2007)

#### **Sec. 30-61. Reserved.**

#### **Sec. 30-62. User Outside the City.**

A user located outside the City limits shall be charged 1 1/2 times the fees, rates, and charges being paid by customers within the City limits. (Code 1966; Ord. No. 269, 8-25-70; Ord. No. 400, 9-13-77; Ord. No. 470, 12-26-79; Code of 1988; Code of 2001)

#### **Sec. 30-63. Delinquent Accounts.**

(1) The charges permitted by this Article shall be considered a lien upon the land or premises served by the connection to the municipal water system. Any charges which are more than ninety days past due as of September 1st of each year shall be certified to the County for collection with the property taxes provided the charges have been properly billed to the premises served.

(2) The City shall add an interest charge to the amount certified to the County. The interest charge shall be established by resolution. The certified amount shall be collected in entirety during the next year by the County in the same manner as other property taxes. (Code 1966; Ord. No. 225, 8-8-67; Ord. No. 470, 12-26-79; Code of 1988; Code of 2001)

#### **Sec. 30-64. Termination of Services.**

The City may shut off water service at the stop box connection at any time when:

(1) The owner or occupant of the premises served or any person working on any pipes or equipment thereof which are connected with the municipal system has intentionally violated any part of this Chapter.

(2) Fraud or misrepresentation by the owner or occupant in connection with an application for service. (Code 1966; Ord. No. 225, 8-8-67; Ord. No. 470, 12-26-79; Code of 1988; Code of 2001)

#### **Secs. 30-65--30-75. Reserved.**

## **Article 4. Water and Sewer Fund**

### **Sec. 30-76. Fund Established.**

A separate fund to be known as the Water and Sewer Fund is hereby established. (Ord. No. 168, 6-25-63; Code 1966; Code of 1988; Code of 2001)

### **Sec. 30-77. Receipts.**

All receipts from the operation of the municipal water and sewer systems shall be deposited in the Water and Sewer Fund. (Ord. No. 168, 6-25-63; Code 1966; Code of 1988; Code of 2001)

### **Sec. 30-78. Expenditures.**

All of the expenses of operation of the water and sewer systems shall be paid from the Water and Sewer Fund. (Ord. No. 168, 6-25-63; Code 1966; Code of 1988; Code of 2001)

### **Sec. 30-79. Debt Redemption.**

The provisions of Sections 30-80 through 30-83 are enacted in order to establish a uniform procedure for the transfer of monies from the Water and Sewer Fund to the Debt Redemption Fund. (Ord. No. 134, 4-10-62; Code 1966; Code of 1988; Code of 2001)

### **Sec. 30-80. Gross Receipts.**

Immediately following billing of the customers, the gross receipts of the water and sewer systems shall be determined. Gross receipts shall be defined as the total amount of receipts from the operation of the Water and Sewer Departments before operating or fixed expenses are deducted. (Code 1966; Code of 1988; Code of 2001)

### **Sec. 30-81. Payment of Special Assessments.**

No permit to tap or connect with any municipal water or sewermain shall be issued unless the assessment for the connection has been paid in full. Where the assessment is payable in installment, no permit shall be issued until past due installments have been paid. (Ord. No. 59, 10-5-54; Code 1966; Code of 1988; Code of 2001)

### **Sec. 30-82. Connection Charge in Lieu of an Assessment.**

Where a sewer or watermain is or has been laid and where no assessment is levied against the abutting property owner and where the cost of materials used in the construction of the sewer or watermain is paid for by private funds or by the City, no person who has not previously contributed to the cost of construction of the main shall make a connection until a charge has been paid to the City. The connection charge shall be based on the per front foot rate for a main at the time of the connection. The connection charge shall be determined by the City. Payment of this connection charge shall be in addition to the regular rates, charges, and fees for water and sewer services. (Ord. No. 59, 10-5-54; Code 1966; Code of

1988; Code of 2001)

**Sec. 30-83 Connection Charge as an Assessment Prepayment.**

(1) Where a property has not been assessed for an abutting sewer or watermain and a main has not been built in front of or along side of the property for which it may be assessed, no permit shall be granted to connect the property with a municipal main unless a charge has been paid to the City.

(2) The connection charge shall be based on the per front foot rate for a main at the time of the connection. The connection charge shall be determined by the City. Payment of this connection charge shall be in addition to the regular rates, charges, and fees for water and sewer services.

(3) Any payments made under the provisions of this Section shall be applied as payment of an assessment for an abutting sewer or watermain which may be levied on the property in the future. In case the total of the assessment is less than the amount paid as a connection charge, the overpayment shall be returned to the property owner upon presentation of claim. (Ord. No. 59, 10-5-54; Code 1966; Code of 1988; Code of 2001)

**Editor's Notes**  
**City Code-Chapter 30**  
**Water Utility**

**Introduction.** The purpose of this Chapter is to provide for operation of the municipal water system.

This Chapter has been renumbered to be consistent with the numbering system used throughout the Code:

The first division within a Section is numbered “(1)” followed by “(2)”, etc.

The next division of a Section is numbered with an “A” followed by “B”, etc.

As with all other parts of the codification, the language in this Chapter has been simplified and made general neutral.

**Section 30-1, Definitions.** The City has been cited as the responsible party thereby making the need to define the words superintendent and inspector not necessary.

**Section 30-3, Resale of water.** The restriction on the resale of municipal water was expanded by deleting the phrase “to any other person”.

**Section 30-4, Turning on water.** To be consistent with current practice, the word “permit” is replaced with “permission”.

**Section 30-6(D), Service connection.** Subsection D has been deleted because this provision now is obsolete. The subsection required a connection charge for already existing customers.

**Section 30-7, Application.** To prevent obsolence, the application form will be “as requested by the City”. Previously, the content of the form was specified in the Code.

**Section 30-25, Repair of leaks.** The specified fee of \$5 has been replaced by “a fee as specified by the City”.

**Section 30-60, Rates.** Reference to “quarterly” deleted to simplify the definitions of rate and fee.

**Section 30-63, Delinquent accounts.** To prevent obsolence, the interest charge will be as specified by resolution. Previously, an interest charge of 12% was contained in the Code.

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Margaret A. Egan  
Finance Director/  
City Clerk

September, 1997