**ORDINANCE 2010 – 2**

**AN ORDINANCE ESTABLISHING THE PIEDMONT WATER SYSTEM’S FEES, REGULATIONS AND CONSTRUCTION REQUIREMENTS OF THE PIEDMONT MUNICIPAL CODE**

**BE IT ORDAINED BY THE CITY OF PIEDMONT THERE IS HEREBY ADOPTED**

**THE FOLLOWING ORDINANCES**

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**ARTICLE I. GENERALLY**

**20.1.1 Definitions**

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

Any term not defined in this section or elsewhere within this chapter shall have the definition as used in the Standards of Construction adopted and if no definition appears in the Standards of Construction or in this chapter, then it shall have its normal and ordinary definition.

**CAPACITY.**  The supply, treatment, storage and pumping capabilities of the municipal water utility system.

**CITY**.The term City means Piedmont, a South Dakota Municipality

**COMMERCIAL USER*.***  Any utility customer operating as a business, whether for profit or non-profit, publicly owned facilities, facilities which have a combination of residential and commercial uses and any other utility customer who does not fit into another rate classification.

**INDUSTRIAL USER*.***  A customer of the utility that creates a product.

**LEASED ACCOUNT*.***  Account associated with parks, golf courses, and ball fields leased from the city.

**RESIDENTIAL USER*.*** Any utility customer using water for domestic, residential purposes.  Includes single family residences, multiple family residences, and mobile home parks without a master meter, but excludes nursing homes, group homes and other similar commercial ventures.

**SERVICE AREA*.***  The geographic area where the city provides an actual service. This contrasts with a planning service area the city may provide service in the future.

**20.1.2 Purpose of Provisions**

The rules and regulations prescribed in this chapter are established for governing the waterworks of the city and the control of all persons doing any plumbing in and upon any of the mains, connections or appliances appertaining to the city waterworks.

**20.1.3 Water furnished subject to provisions**

Any person applying for and receiving water from the waterworks system belonging the city, receives such water on the express condition that the water is taken subject to all rules and regulations prescribed by this chapter and other City Ordinances and penalties provided for any infraction of such rules and regulations.

**20.1.4 Provisions not to be considered a contract**

The rules and regulations prescribed by this chapter shall not be considered as a contract between the city and any parties affected thereby in a manner as to prohibit the City from altering or amending the same, or from establishing such additional and reasonable regulations as may from time to time appear to be necessary.

**20.1.5 Standards of Construction**

There is adopted the Piedmont Water Works Specifications Book as a standard of construction for all connections, pipes when plumbing connecting to the Piedmont Water System. The Specifications Book is on file with the City Finance Office and available for inspection during regular business hours.

**20.1.6 Connection-Permit Required**

It is unlawful for any person to lay any water service pipe or introduce into or about any building or any grounds any water pipes, or do any plumbing work in any building or on any grounds for the purpose of connecting the pipes or plumbing, either directly or indirectly, to the city water mains, or make any additions to or alterations of any water pipes, water closet, stopcock or other fixtures of apparatus for the supply of any premises with water from the city water mains, without first obtaining a permit to do the work.

**20.1.7 Connection Permit – Authority to refuse for failure to obey regulations**

Owners of property desirous of using water, either directly or indirectly, from the distributing pipes, within the corporate limits of the city, shall have a licensed plumbing contractor or licensed underground utility contractor make application, in writing, to the City, such application to state the name of the owner, a description of the premises, the size of the tap, the kind of service pipe to be used, and the purpose for which it is to be used. Such application must be made at least 2 days before the work is to be commenced.  A permit shall be issued after the application is approved by the City Finance Officer or his or her designee, and payment is made for both a New Account Fee and tapping fees as provided for in this chapter.

If any plumbing or underground utility contractor plumber fails to obey all regulations set forth in this chapter, it shall be within the authority of the City Finance Officer to refuse any more permits to the contractor until all violations have been corrected.

**20.1.8 Mandatory Water Connections**

The owner of any improved property abutting upon any street where a water main is constructed by the City shall connect to the water line and use the City’s water system within 90 days after written notice to such owner to make some connection. The written notice shall be sent to the owner by the City or its designate. Such written notice shall include a reference to this Ordinance and be served upon the owner either by personal service, registered mail or certified mail, or such other method that may be provided by law. If the owner shall fail to connect such improved property as required, the City, its agents or assignees may enter upon the improved property and make such connection. A bill for any such connection shall be provided to the owner by an itemized bill for the cost of construction, plus 10% service charge. If the owner fails to pay the bill, the actual cost, plus 10% shall be assessed upon such lots and parcels of land as provided by law for the assessment and collection of other special assessments.

For any new buildings or structures to be connected to the water system, such connection shall be completed prior to habitation, occupancy or use, and no certificate of occupancy shall be issued for any improved property unless it has been connected to the water system, inspected and approved by the City.

For those improved properties subject to the requirements of SDCL 9-47-28, but not abutting upon any street where a water main is constructed, the owner of the property shall provide a plan for connection to the City. Should the City determine that property subject to SDCL 9-47-28 has not timely provided the City a plan of connection and/or connected with the system in a timely manner, the City shall give the owner notice to connect and serve the notice upon the owner either by personal service, registered or certified mail, or by such other method that maybe provided by law. If the owner then shall fail to connect to the water system within 180 days, the City, its agents or assignees may enter upon the owner’s property and make such connection, plus a 10% service charge. The City shall then send an itemized bill for the cost of construction to the owner. If the owner fails to pay the bill, the actual cost, plus 10% shall be assessed upon such lots and parcels of land as provided by law for the assessment and collection of other special assessments.

**20.1.9 Taps and connections to be made by City**

After connection permits have been issued, it shall then be the duty of the City, upon due notice, to tap the distributing pipe as provided in this chapter. No person shall be permitted to tap or make connections, either directly or indirectly, with any of the distributing systems of the waterworks of the city, except through the City.

**20.1.10 Tap-Fees**

At the time of making application for a permit under this chapter, the applicant shall pay to the City Finance Officer an additional sum to cover the cost of making the tap upon the water main as follows:

|  |  |
| --- | --- |
| **Tap Size** |  |
| 1-inch tap | $250 |
| and 1 1/2-inch tap | $275 |
| 2-inch tap | $300 |
| Taps in excess of 2 inches, but less than 8 inches | $500 |
| Taps of 8 inches or greater | $700 |

**20.1.11 Water construction fees**

Upon recommendation by the City Finance Officer, the Board of Trustees may by resolution impose water construction fees on individual properties in certain identified, unserved areas when properties in such service area are benefitted by the installation of a water main. All users in such service area shall pay an additional water construction fee prior to connecting to the water main. This water construction fee shall be in addition to the ordinary tap fees imposed by this chapter. The city may enter into agreements assigning the cost of installation of water mains to serve such service areas. The ordinance codified in this section implements authority granted in SDCL § 9-47-16.

**20.1.12 Tap-Corporation stops, tapping sleeves and valves-Responsibility for furnishing**

Corporation stops, tapping sleeves, and valves for all taps shall be furnished by the individual or firm requesting the tapping permit and shall be of a type, grade and standard approved by the City Engineer or its designee.

**20.1.13 Tap-Maximum size**

 The following sizes of taps in water mains shall not be exceeded without approval of the City Engineer:

|  |  |
| --- | --- |
| **Pipe Size** | **Tap Size** |
| 8" | 1" |

**20.1.14 Tap-Location when more than 1 required**

Where more than 1 tap is required, the taps shall be placed at least 18 inches apart on the main, and in no case shall a tap be made closer than 24 inches from the face of the bell.

**20.1.15 Corporate stops-maximum size**

No corporate stops will be inserted in the city mains smaller than 1 inch or larger than 2 inches in diameter.   If a service larger than 2 inches is desired, it shall be a tapping sleeve and valve or a tee and valve with branch larger than 2 inches.  All service saddles shall be furnished and installed by the individual or firm requesting the tap.

**20.1.16 Plumbing and underground utility contractors-Return requirements**

All plumbing and underground utility contractors shall make full returns of the ordinary and special uses to which water is designated to be applied under any permit granted by the city, with a description of all apparatus and arrangements for using the water in every case, this return to be made within 48 hours after the completion of the work, to the City Finance Officer.  For any misrepresentations or omissions in the statement of the work done or appurtenance set, through which there may be water used, the City Finance Officer may refuse to make a tap for any contractor who has failed to make a return within 48 hours for previous taps or sewer connections.

**20.1.17 Connections for fire protection**

When the proprietors of lumberyards, factories, halls, stores, hotels, or public buildings, regular customers of the waterworks, wish to lay larger pipes with hydrants and hose couplings, to be used only in case of fires, they will be permitted to connect with the street main at their own expense, upon the granting of a permit by the city engineer or his or her designee, and will be allowed to use the water for fire purposes only, free of charge, as long as such pipes are kept free from leaks and in good repair. All water lines laid for private free fire protection must meet all city criteria and specifications for water distribution systems.

**20.1.18 Extension of public infrastructure to accommodate individual service connections**

Any extension of public infrastructure to accommodate individual service connections shall comply with subdivision regulations. The cost for installation of water infrastructure within a new development is the sole responsibility of the subdivider. The city may, at the discretion of the Board of Trustees, choose to pay for a portion of the cost to extend water infrastructure to a new development.

**20.1.19 Turning water off after testing new installations required**

 A. In no case shall any contractor or other person, after the completion and test of plumbing work, if it is the first introduction of service pipe, leave the water turned on to the premises.  Notice shall be given to the City Engineer or its designee within 3 days that the water has been turned off at the curb stop.

B.  If the regulation set out in subsection A. of this section is not complied with, the responsible licensed contractor shall be charged for the monthly minimum until the Water Department is notified that the water is turned off at the curb stop.

**20.1.20 Cross-connections**

No plumbing or underground utility contractor or any other person shall make any cross-connection to the water system of the city with any other water system, supply from a well, cistern, or any other source whatever.  Nor shall any such contractor or other person make any cross-connection to the water system of the city and any drain pipe, sewer pipe or septic tank.

**20.1.21 Guarding excavations in connection with plumbing work**

No person doing any work under this chapter shall leave any excavation open, unless the same is properly guarded and barricaded in the daytime, and in the nighttime it shall be further guarded by lighted red lanterns, flares or torches, which shall be kept lighted from half an hour after sundown until an hour before sunrise.

**20.1.22 Responsibilities of persons doing street work relative to valve boxes, curb boxes, other appurtenances**

Any person doing any kind of work in the city streets shall be responsible for breaking of valve boxes, curb boxes, or any appurtenances connected with the water system.  Any person placing any kind of paving or sidewalks is required to bring curb boxes or valve boxes to the top of the paving or sidewalk surface and to see that the boxes are free from dirt, stones or any other obstruction before paving material is placed.

**20.1.23 Authority to restrict use of water for cooling or sprinkling**

 All water used for air-cooling systems or street, lawn or garden sprinkling is subordinate to domestic use or fire protection, and may be restricted at any time, should a scarcity of water or an emergency of any kind so require.

**20.1.24 Fraudulent connections**

It is unlawful for any person to make any connection or reconnection with any main or pipe used for delivery of water to the consumer, with intent to defraud.

**20.1.25 Unlawful turning on/off or interference**

It is unlawful for any person, other than a duly authorized agent of the City, to turn on or off, or in any manner interfere with any valve, stopcock or other appliance connected with the waterworks system.

**20.1.26 Taking of water hydrants**

A. Authorized Removal

1. No person other than authorized employees of the City or a fire department shall open, close or operate any hydrant which is part of or connected to the city system
2. Except as provided in subsection B. of this section, no person shall take any water from any hydrant which is part of or connected to the city system.
3. No person other than authorized employees of the City or a fire department shall attach, remove or replace any hose, meter, backflow prevention device or other apparatus to or from any hydrant which is part of or connected to the city system; provided, nonetheless, that nothing in this section shall prohibit authorized employees of a contractor engaged in the work of constructing additions to the city system from making such connections to the system as are shown on approved plans prepared by a licensed professional engineer.

B. The City Engineer or its designee may authorize the taking of water from hydrants subject to the following conditions:

1. All water shall be metered through meters provided by and installed by the City, and shall be paid for at the rates approved by the City.
2. The City Engineer, with the approval of the Board of Trustees, shall establish written policies for the taking of water from hydrants. Such policies shall include the types of proposed uses which will qualify for use of water from hydrants, the fees to be charged in connection therewith in addition to the rates for use of water, and such other matters as he or she shall deem appropriate.
3. Before any meter is installed and before any water is taken from the hydrant the customer shall pay to the city, at the time the account is opened, an administrative fee of $500 to cover the cost of taking corrective action in the event of the failure of the customer to comply with the provisions of this section. Upon closing the account the customer may have the administrative fee refunded if all city equipment is recovered undamaged and in good working order, the meter has not been removed or relocated by other than city employees, the account has been paid in full and in all other respects the use of the hydrant has been in full compliance with this section. The deposit shall not be construed as a prepayment for the use of water

**20.1.27 Damaging hydrants, mains or connections-Notification of city-Payment of repair costs**

Any person damaging a hydrant or water main or any connection thereto shall notify the City Engineer or City Finance Officer at once, and the person responsible for the damage shall pay the cost of repairs or replacements.

**20.1.28 Right of City to shut off service for purpose of making repairs, connections or extensions or cleaning**

A. The city reserves the right at any time to shut off the water on any main for the purpose of repairing, making connections, extensions or cleaning the same, and it is expressly provided that no claim shall be made against the city by reason of the break in service.  The City, before shutting off water as provided in this section, shall give reasonable notice thereof to water users affected.  In case of emergency, where the health and safety of the people are involved, the water may be shut off without notice.

B. Should a privately-owned water line break, the City may shut off all water supply to all water users on that line forthwith, and all water service may be terminated by the City until the break is adequately remedied, as shown by City inspection of the repair.

**20.1.29 Liability for damages not affected by provisions**

This chapter shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling or installing any water service equipment or piping, for damages to persons or property caused by any defect therein or negligence in the handling thereof, nor shall the city be held as assuming any such liability by reason of the approval or disapproval by the city or any employee thereof, of any equipment or installations as authorized herein.

**20.1.30 Denial of City liability**

The city will not be responsible for damages caused by the breaking of water meters or for any accidents resulting from variation in the water pressure or the hydraulic ram of the water in the mains.

**ARTICLE II. SERVICE LINES**

**20.2.1 Contractor authorized to lay-Responsibility for expense-Indemnity of city**

A. All service lines from the city mains to the user’s property must be laid and constructed by a licensed plumbing contractor or a licensed underground utility contractor at the expense of the owner of the property to be served.

B. All work to be done in laying of the service line from the main or other distributing pipe into the premises and all labor connected therewith by the provisions of this chapter, except the making of the tap itself, shall be done by or under the direction of a plumbing contractor or underground utility contractor, who shall be employed and paid by the owner or consumer and who shall at all times hold the city harmless and indemnify the city against all accidents or damage to person or property arising from neglect in performance of the work.

**20.2.2 Connections to property with existing on-site water**

The internal water and plumbing system of any Property serviced by a private water system or on-lot water system shall be immediately disconnected upon the connection of the building to the Water System, and such private or on-lot system shall not be used for human consumption. There shall be no cross-connection of any private water system or on-lot water system with the Water System. The City shall have the right, upon notice to the Owner and occupant of the Property, if different from the Owner, to enter the premises to inspect the plumbing at all points of connection to the Water System, or possible points of connection to the private water system, to assure that no cross-connection exists. Private water systems or on-lot systems on lots connected and served by the Water System may be maintained and used for outside use such as watering, irrigation, filling of swimming pools and fire protection.

**20.2.3 Placement in relation to street**

The location of water service lines shall be in accordance with the city’s standard specifications.

**20.2.4 Extension from one premises to another**

Water service pipes must not be extended from one premises to another.

**20.2.5 Depth**

Water service pipes shall in no case be laid at a depth less than 5 feet below the lowest part of the gutter of the finished street grade, except in the case of a lawn sprinkling system.

**20.2.6 Inspection prior to covering**

No water service ditch shall be filled or service pipe covered until the same has been inspected by the City Engineer or his or her authorized assistants, and all persons making the service shall give at least 5-hours’ notice of the time the service pipe will be ready for inspection, and it shall be the duty of the City Engineer, within a reasonable time after the notice, to inspect the service and if, in his or her judgment, the service connections are properly connected and materials are of quality specified in this chapter, he or she shall give permission for the trench to be filled, but if he or she shall find the same to be improperly made, the work must be rectified and corrected according to his or her directions.

**20.2.7 Curb and stop cocks**

A. There shall be a brass curb stop in each water service pipe.  The stop shall be of the inverted round key type or O ring all bronze curb stop with O ring at top, bottom and in body on downstream port.  The core must be plastic coated when manufactured, and be under the exclusive control of the City.  The curb stop shall be placed in the pipe on the outer side of the sidewalk or at an alley line, where it is readily accessible at all times, and no person not a direct employee of the City shall open or close or otherwise interfere with the curb stop, unless he or she has written permission from the City.  In no case shall a curb stop be placed on private property.

 B.  There shall also be a stopcock in every cellar or basement served, of the compression stop and drain type, to enable consumers to turn water off in case of accidents to the pipes on the premises and to drain the pipes to prevent freezing.

 C. No drains shall be placed or maintained in curb stops.

 D. All curb stops must be of waterworks bronze.

**20.2.8 Curb boxes**

All curb cocks shall be provided with a box or tube of approved pattern, and the top of each box or tube shall be placed on the level with the grade of the sidewalk, and no premises shall be supplied unless the box is in good order.  In case of neglect or refusal of the occupant or owner to provide or repair the box within a reasonable time after being notified, the City Engineer may cause it to be done and charge the expense thereof, plus 10% to the water bill, or the water service may be discontinued until the curb box is repaired.

**20.2.9 Cutoffs**

 Each separate building or water consumer location must have its own separate cutoff placed at the outside edge of the sidewalk or in the alley.

**20.2.10 Responsibility of service pipes and fixtures**

A. The City will not be responsible for service pipes and fixtures.  All service pipes and fixtures on the premises and up to the tap of the city main shall be installed and kept in good working order, and properly protected from frost and other danger, at the expense of the owner or person in possession of the premises served.  If the owner or person shall fail to properly repair any leaky service pipe or other apparatus promptly upon receipt of due notice from the City Engineer, his or her assistants or any person authorized by him or her, the water may immediately be shut off from the premises and remain shut off until the necessary repairs have been made and a fee as established by the City for turning the water off and on has been paid.  The city shall not be liable for any damage resulting from the breaking of any of the service pipes or apparatus, or for any other damage that may result from shutting off water for repairing or for any other purpose, or for any variation in pressure.  No reduction will be made from the regular water rates because of leaking fixtures.

B. If a service line develops a leak between the main and the curb box on any service pipe and is not immediately repaired, the City may cause the service pipe to be repaired and assess the actual cost of the repair, plus 10%, to the property.

**20.2.11 Discontinuing old lines**

A property owner who discontinues an old service line for any reason shall, at his or her own expense, have the same disconnected at the city main and, if he or she fails to do so, there shall be no water served to the premises.  It shall be the duty of all plumbers and underground utility contractors, in the event they are hired to replace an old service, to disconnect any discontinued service lines serving the premises from the city main.

**20.2.12 Use of electrical devices to thaw**

     No person shall connect any electric welder, generator or other electrical device to any water service line for the purpose of thawing the frozen water in the line unless the water meter in the line shall have been removed and all electrical grounding connections and other electrical connections have been disconnected from the portion of the service line to which the device is connected.

**ARTICLE III. METERS**

**20.3.1 One per service maximum-Auxiliary meters**

 Except as otherwise provided in § 20.3.7 the supply of water through each separate service must be recorded by 1 meter only, for which only 1 bill will be rendered by the city.  If additional or auxiliary meters are desired for recording the subdivision of each supply, they must be furnished and set by the owner or consumer at his or her own expense, and he or she must assume all responsibility of maintaining and reading the same.

**20.3.2 Size determination**

The correct size of a water meter to be used on any service shall be determined by the City.

**20.3.3 Location-Generally**

Wherever possible, water meters shall be placed in the cellar or basement of the building to be supplied with water, and provided with a stop and waste between the meter and the main; where existing premises have no cellar or basement, or where no suitable place for a meter is provided by the property owner, or where the City has been unable to make a meter reading for a period of not less than 2 consecutive billing periods, or at the property owner’s request, the property owner shall be required to install a remote meter reading device, and shall be charged the established rate for the installation of the device; provided that, the City may permit the location of meters in other places when the meters will be safe from frost or other destructive conditions.  No meter will be allowed in a pit under the floor of a dwelling unless there is a trap door directly over the meter pit.

**20.3.4 User’s responsibility for location and damages**

Each owner or water user must provide, at his or her own expense, a suitable place for the water meter safe from damage due to frost, hot water, steam or other causes.  Where the meter is injured by freezing or use of a torch, or otherwise damaged by the act or neglect of the occupant of the premises, or of his or her agents or servants, the cost of repair or replacing the same shall be paid by the owner or occupant, and in case of neglect or refusal to pay the same on demand, the water supply may be turned off or the meter removed, or both, in which case the water shall not be again turned on until the cost and a penalty as established by the City for turning off and on is paid.

**20.3.5 Pits**

All water meters located outside of buildings must be placed in pits.  All such meter pits shall be constructed by the property owner or water user according to plans and specifications furnished by the City and placed in the location selected by the City Engineer or designee.  There also must be a regulation curb stop in each meter pit.

**20.3.6 Accessibility**

The owner or occupant of premises where a water meter or remote meter reading device is located shall see that the meter or device is kept free from obstruction on or around the same, and conveniently accessible during all reasonable hours of the day for the purpose of reading, inspecting or repairing such meter or device.  If the consumer or property owner refuses to grant access to any water meter or remote reading device or refuses to keep free access to the water meter or remote reading device for the purpose of reading or checking by the City, the water may be shut off from the property and not turned on again until such violations have been corrected and the fee provided for in § 20.4.2 is paid.

**20.3.7 Bypasses**

No water meter shall be installed with a bypass unless such bypass is provided with a separate meter installed in parallel and separately valved in such manner as to permit removal of either meter without disrupting service.  The charge for the second meter shall be the demand charge established in § 20.4.2(B).

**20.3.8 Check valve between meter and hot water apparatus**

Where a water meter has been placed on a pipe connection to a boiler or other hot water apparatus, a check valve must be placed and maintained between such meter and the boiler or hot water apparatus, when so ordered by the City, which valve shall protect the meter from back pressure of steam or hot water.  In case the meter is damaged by hot water or steam, the owner or occupant of the premises shall pay for the damage.

**20.3.9 Remote reading device**

All water meters shall be equipped with a remote reading device whereby the meter can be read without entering the building.  The device shall be installed by the City of Piedmont on all water meters, the type of device and the date of installation to be determined by the City Engineer.  The cost of installing the device shall be $20.  The city shall retain ownership of the device, and the device will be under the control of the City at all times.  The device shall be considered as part of the water meter servicing the property and shall not be removed or altered except by employees of the city.  Where an outside meter reading device shall be installed for a nonresidential building and the cost of the installation exceeds the established charge, the property owner shall be required to pay an additional charge to cover the additional cost of installation. If the consumer or property owner refuses to grant access to the city to install a remote reading device, the water may be shut off to such property.

**20.3.10 Testing**

Upon the written request of any owner or consumer, the City will test the water meter supplying the premises. A fee, as established in the table below will be required before the meter is disconnected.  The fee will be returned if the meter is found to be registering in excess of 2% fast, otherwise the deposit will be retained to cover the cost of making the test.  If the test of the meter shows that it fails to register correctly within 2%, the City shall make a charge or allow a credit in proportion to the error, for all water registered in excess of the minimum amounts allowed by the established rates, the same to be retroactive for 3 billing periods only.  If the meter is found to be registering within 2%, the meter may be returned to the premises at the City’s discretion.

**20.3.11 Notice of breakage or stoppage**

In case of breakage or stoppage or any other irregularity in the water meter installed by the city, the owner or consumer shall immediately notify the City. In any case of breakage or stoppage where it is determined that the owner or any Lessee of the lot where the water service is installed caused the breakage or damage, the owner or Lessee will immediately pay for a new meter to replace the damaged meter. Failure to pay for the meter will result in water shutoff by the City.

**20.3.12 Notice of removal**

When a person removes a water meter for any reason, the City shall be notified immediately.

**20.3.13 Breaking seal or bypassing prohibited**

Every person who shall break or deface the seal of any water meter or who shall obstruct or injure the action of any water meter, or who shall make any connection by means of a pipe, or otherwise, with any main or pipe used for the delivery of water to the consumer in such manner as to take water from the main or pipe knowingly without its passing through the meter, or who shall use any water so obtained, shall be guilty of a misdemeanor.

**ARTICLE IV. SERVICE CHARGES**

**20.4.1 Service line inspection and new account fees**

The Service Line Inspection Fee as shown below shall provide an initial field inspection of the private water service line from the curb stop to the structure, mileage, administrative tracking and card drawing. Each additional inspection of the private water service line shall require the payment of a re-inspection fee as shown below.

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| --- | --- |
| Service Inspection Fee | $65 |
| Re-Inspection Fee | $30 |

 A new account charge for accounts within the city limits and a new account charge specific to accounts outside the city limits shall be paid for water turn-on service as set forth below.  A surcharge shall be paid in addition to the turn-on charge if such service is requested to be performed during hours other than hours that the general offices of the city are open.  An additional surcharge during normal hours and a surcharge specific to after hours shall be paid if the employees of the city are unable to turn on the water because of inability to obtain access through no fault of the city. Such surcharges are set forth below.

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| --- | --- |
| New Account within City Limits (Turn-On) | $25 |
| New Account outside City Limits (Turn-On) | $30 |
| Surcharge After Hours | $60 |
| No Access Surcharge- Business Hours | $17 |
| No Access Surcharge- After Hours | $50 |

**20.4.2 Rates and connection charges**

All water taken from the water system shall be metered or accounted for by a method approved by the City and shall be paid for monthly by the consumer named on the account, based upon monthly meter readings or estimates, at the following rates.

**1. RESIDENTIAL USERS WITHIN THE CITY LIMITS**

(a) Rates: Minimum Monthly Rate of $25 per connection. The $25 entitles connection user to 3,000 gallons of water monthly. For any amount exceeding 3,000 gallons, an additional charge of $3.00 per thousand or part thereof until reaching 10,000 gallons usage in a month and then $5 per thousand or any part thereof. At 20,001 gallons, $7.50 per thousand or part thereof, and at 40,001 gallons, $10 per thousand or part thereof.

(b) Hookup Fees: For anyone connecting to the City Water System by September 1, 2011, the City will charge the materials cost of the curbstop and provide the meter for installation. For individuals connecting to the City System after September 1, 2011, the hookup fee is $1,000 to cover costs of curbstop and meter. In all cases, installation of the meter and service line from curbstop remain the owner’s expense.

**2. RESIDENCES OUTSIDE OF CITY LIMITS**

(a) Rates: Forty dollars ($40) minimum monthly rate per connection for 3,000 gallons of water per month. Excess amounts to be billed at the same rate as residential connections within the municipal boundaries. Residents and property owners will sign the standard Water Users’ Agreement approved by the City.

(b) Hookup Fees: For anyone signing a Water Users Agreement with the City by April 1, 2011, hookup fees will consist of reimbursing the City for the costs for meter and curbstop and an additional charge of $1,000. If a Water Users’ Agreement signed after April 1, 2011, the hookup fee would be $2,500, plus all construction costs to bring line to curbstop. Installation of meter and service line from curbstop shall be the owner’s expense.

**3. COMMERCIAL AND INDUSTRIAL CUSTOMERS WITHIN THE**

**MUNICIPAL BOUNDARIES**

(a) Rates: A minimum monthly fee of $70 per month per connection. The first 3,000 gallons of water is allowed for a minimum payment. For amounts in excess of 3,000 gallons, the same rate as residential.

(b) Hookup Fees: For hookups constructed by September 1, 2011, the owner will pay the City the cost of curbstop, meter and $1,000. For hookups after that date $3,500, plus cost of curbstop and meter. Installation of meter and service line from curbstop shall be the owner’s expense.

**4. COMMERCIAL AND INDUSTRIAL CUSTOMERS OUTSIDE OF**

**MUNICIPAL BOUNDARIES**

(a) Rates: A minimum monthly fee of $80 per month per connection. The first 3,000 gallons of water is allowed for a minimum payment. For amounts in excess of 3,000 gallons, the same rate as residential. Lessees of the property receiving the hookup and owners of the property shall be required to sign a standard Water Users’ Agreement approved by the City.

(b) Hookup Fees: For hookups constructed prior to August 1, 2011, the cost of curbstop and meter, plus $1,500. For hookups constructed after that date $3,500, plus cost of curbstop and meter. Installation of meter and service line from curbstop shall be the owner’s expense.

**5. BULK USERS**

Bulk Users shall be users that have a pre-existing water system that serves more than one building or property. A contract for bulk users shall be negotiated individually with the bulk user, depending on the bulk users’ demand, existing system, and other factors as determined relevant by the City Engineer and the Board of Trustees.

For the purpose of Bulk Users, the City shall take into consideration such items as the need to extend water lines, any upgrades to the facilities to provide service, contribution by Bulk Users for any of the upgrades and other costs related to provisioning of the service.

**6. ADJUSTMENTS FOR HOOKUP FEES FOR NEW CONSTRUCTION**

In situations where the City is building out or extending a main or distribution line, either of its own accord or in conjunction with other development, the City may, by resolution, adjust hookup fees by resolution to encourage construction and connection during the process of the extension or construction of the new main or distribution lines. Any such adjustment of hookup fees would be restricted to those new areas where water would now be available.

**20.4.3 Exception to metered service**

A. When Temporary Service Approved.  All structures requiring water services shall be metered, the only exception being, where conditions for a metered installation are unacceptable.  When such conditions exist, a temporary service may be approved by the City.  Should a temporary service be approved, such service shall not exceed 180 days from the date of issuance.

 B. Application.  Temporary water service accounts may start immediately upon approval by the City of the installation of the water service line.  The person making application through the City or building inspection Department will be required to sign an agreement of responsibility for payment of water account prior to the opening of a temporary water account.  The water service line shall not be installed or connected to the city’s water system unless the agreement of responsibility for payment of the water account has been signed.

 C. Fee-Billing.  The amount charged for a temporary account will be a flat rate of $75 a month.  These charges shall be billed monthly until the meter is installed and a regular water account is established.  A meter will only be installed upon approval of the plumbing installation.

**20.4.4 Billing generally**

 A.  Billing for water service shall be made on a monthly basis with such monthly date to be determined by the Finance Officer.  The water bill shall be based upon the monthly reading of water usage and such bills shall be payable at the City Finance office or at an authorized bank depository by automatic withdrawal upon a written agreement with the city.  Net monthly utility bills are due and payable when received.  Any utility bills unpaid 23 days after the billing date shall be considered delinquent.  A late payment charge of 1-1/2% or a flat rate charge of $5, whichever is the greater amount, shall be assessed on the current unpaid balance of a delinquent account.

B.  A water account opened after the first or closed before the last day of a monthly billing period as established by the city finance officer, when such account uses less than the monthly minimum shall be billed the minimum.

**20.4.5 Billing when meter not read**

A.  If the City is unable to obtain access to a premises or dwelling for the purpose of reading a water meter or remote meter, for any reason whatsoever, or if a meter or remote meter fails to register the amount of water passing through it, for any reason, a monthly bill will be issued based upon the last actual meter reading obtained from such premises or dwelling. If an actual meter reading is not available, an estimate of 6,000 gallons will be billed.

B. The proper adjustment will be made when the meter reading is obtained. In no case will any such bill be issued more than 3 months consecutively. If any meter reading is not obtained at the end of any such 3-month period, the water will be turned off after leaving notice by door card at the address of the consumer account that such water service will be shut off within 48 hours, exclusive of Saturdays, Sundays and legal holidays, until such meter reading is obtained, and the water shall not be turned on again until a charge established by the City is paid for turning water off and on.

**20.4.6 Adjustment of bill in case of leaks**

A.    If any adjustment is requested on any water bill based upon a consumer's proof of leaks in piping unknown to the consumer, during the preceding month, plumbing fixtures excluded, the adjustment shall not be more than 50% of the bill after the minimum charge has been deducted, and no adjustment shall be made on more than 1 month out of any monthly periods. Reasonable proof of leaks must be established before any adjustment will be made.

B.  If any adjustment is requested on any water bill based upon a consumer's proof of a faulty metering device, and if such device has not been tampered with, the adjustment may be made based upon prior normal usage for that account prior to the time the metering device became faulty.

**20.4.7 Failure to pay**

If charges prescribed by this chapter are not paid within 45 days from billing date, the water may be shut off.  Ten days prior to terminating the water service, a notice of intent to terminate the service will be mailed to the customer along with the procedures to contest the termination.  The water shall not be turned on again until all current and delinquent unpaid charges are satisfactorily resolved, together with a service call charge as set forth below.  If such services are requested to be provided outside normal city office hours, a service call charge specific to outside office hours, as set forth below, shall be paid.  If a water service person, called upon to shut off the water at a premises, arrives at the premises and the current and delinquent unpaid charges are satisfactorily resolved, together with a service call charge, the water to the premises shall not be shut off.  All moneys on account will be credited to the oldest part of the bill first.

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| --- | --- |
| Service Call | $65 |
| Outside Office Hours Service Call Charge | $65 |

Dated this \_\_4th\_\_\_ day of \_\_\_January\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2011.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Philip C. Anderson, Chairman Piedmont Board of Trustees

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By:\_Diana L. EvansCity of Piedmont Finance Officer

(SEAL)

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