

ORDINANCE 138

AN ORDINANCE RELATING TO THE ADMINISTRATION, OPERATION, & PROTECTION OF THE CITY WATER WORKS OF BIRD ISLAND, MINNESOTA.

The City Council of the City of Bird Island does Ordain:

SECTION I. DEFINITIONS

- A. Water Works – This shall include but not be limited to the following property now owned or hereafter acquired by the city used in providing a water supply for the city: Wells, pumping stations, pumps & pumping equipment, water tanks and towers, fire hydrants, water mains, service connections including curb cocks.
- B. Service Connection – That portion of the water pipe that lies between the main and up to and including the curb cock at each dwelling or other structure having water service.
- C. Service Pipe – That portion of the water service lying from, but not including the curb cock and extending to the building and affixed to the meter.
- D. Water Rate Resolution – The most recent resolution passed by the city council setting forth the changes to be made for water and other water works services.

SECTION II. HOOK-UP- REGULATIONS

- A. Application –
 - 1. No new service shall be connected to the city water system without the approval of the city council of the planned connection as set forth by the owner on a regulation building permit application. Further; such application shall specifically indicate:
 - a. Size and type of pipe to be used.
 - b. Location of pipe within the lot.
 - c. Location of meter.
 - d. Name of person to install pipe.
 - 2. The city council shall have the right to refuse to accept any installation that is installed before the owner has secured the proper approval and reserves the right to refuse water to such an installation.
- B. Materials & Installation
 - 1. The pipe shall be of copper or other approved material at least ¾” in diameter and placed a minimum of 6 feet below the surface.
 - 2. The curb cock shall be furnished by the city and installed as near the curb as practical.
 - 3. An employee of the city shall tap the main.
 - 4. Each water customer shall have a separate and distinct water connection. Branch service connections may be attached to a service connection, provided written approval for such an installation is secured from the city council and a separate curb cock shall be installed for each branch service.
 - 5. A suitable location shall be provided for the meter in the service pipe. Such location shall be convenient for reading and free from the danger of freezing and must not have any branch line between it and the curb cock.
 - 6. No installation may have the trench backfilled until it has been inspected by a representative of the city appointed for this purpose.

7. In any dispute concerning materials or installation the state plumbing code shall be deemed to be the final authority.

8. The cost of maintenance of the service connection shall be borne by the city and maintenance of the service pipe shall be the responsibility of the owner of the real estate.

9. Any leak in the service pipe shall be cause for curb cock to be shut off until such leak is repaired.

SECTION III. REPLACEMENT

Any owner of a piece of real estate now having a water service may be required to replace this service if its condition is beyond repair or is of inferior quality as determined by the representative of the city council. Any owner of real estate may also request such replacement. The cost of such replacement shall be borne by the owner and the connection fee shall be one-half of the current fee charged for new installation.

SECTION IV. FINANCING

A. Charges – The city council shall establish fees and charges for water and related services and such fees and charges shall be established by council resolution contained in the official minutes and published in the official newspaper. Such resolution shall contain fees and charges for, but not limited to, the following: water, surcharges, hook-up fees, materials, meters, reinstallation of service. The most recent resolution shall be the one in effect at a given time.

B. Billing –

1. The city shall read the meters no less than once a year and the charge for water shall be computed on an annual basis.

2. Billing shall be each three months with the billing on dates of October 1st, January 1st and April 1st based on one-fourth the estimated annual consumption and the charges on July 1st billing reflecting the actual cost with credit for the payments received on the estimated billings.

3. A reading may be made more frequently at the discretion of the council.

4. A penalty of 10% of the amount of the bill may be charged for any bill delinquent over 30 days from date of billing.

5. Any water bill remaining unpaid after 90 days shall be considered cause for termination of service and the council or their representative shall be authorized to turn off the water at the curb cock. A fee shall be charged to re-instate service.

6. Water provided to property that is unmetered shall be charged for at a flat fee per quarter as set forth in the rate and fee resolution.

7. Any bill remaining unpaid for 1 year may be assessed against the property and the County Auditor shall be instructed to add it to the taxes.

C. Hookup Charges

1. The owner of the real estate shall pay a hookup fee as stated in the water rate resolution.

2. The owner of the real estate shall pay the city for the cost of any pipe, curb cock tapping fitting, or any other material furnished by the city.

3. The owner of the real estate shall pay all trenching and labor costs, exclusive of any labor furnished by the city, of reinstalling both the service connection and service pipe.

4. The owner of the real estate shall purchase the meter from the city and the city shall maintain and/or replace this meter for no charge except for damage caused by the real estate owner's negligence such as, but not limited to, freezing impact, or mechanical damage.

5. Reference is hereby directed to Ordinance #105 requiring a \$15.00 deposit from renters of property.

SECTION V. PROTECTION

A. It shall be unlawful for any person except a village official, employee, member of the fire department or other person acting under the direction of such official or employee of the village to:

1. Climb upon or attempt to climb upon any water tank, tower, or pumping station.
2. Take or draw water from any hydrant.
3. Open, close or tamper with any fire hydrant or curb cock.

B. It shall be unlawful for any person to take or draw water from the connection of another person without the permission of such other person.

C. It shall be unlawful for any person to interfere with any official or employee while such official or employee is engaged in the lawful performance of any duty in connection with the operation of the water works or to prevent such official or employee from entering upon property for the reading of a water meter or for making an inspection of a water connection and plumbing.

D. Any person violating the provision of this section shall, upon conviction thereof, be deemed guilty of a misdemeanor and fined not to exceed one hundred dollars and costs, and in default of payment of such fine and costs shall be committed to the county jail until such fine is paid, not to exceed 90 days.

SECTION VI. REPEAL

The following ordinances of the City of Bird Island, Renville County, Minnesota are hereby repealed: Nos. 76, 84, 91, & 92.

SECTION VII. SEPERABILITY

All sections and sub-divisions of this ordinance are declared separable, and, if any part hereof is declared invalid, such action shall not invalidate any other part or portion hereof.

SECTION VIII. TAKE EFFECT

This ordinance shall be in full force and effect from and after its publication according to law.

Passed by the city council, this 16 day of October, 1974.

W.M. Bunker, Mayor

Frank T. Saunders, Clerk

PUBLISHED: October 23, 1974 in Bird Island Union