

ORDINANCE 192
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 stop 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 stop 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 charges to be made for water and other water works services.

SECTION II. HOOK-UP REGULATIONS

A. Application

1. Application for a water service installation and for water services shall be made to the City Clerk on forms prescribed by the City Council. By her/his signature, the applicant shall agree to conform to this ordinance and to any rules and regulations that may be established by the City as conditions for use of water.
2. No connection shall be made to the City water system without a permit received from the City Clerk. The fee for such permit shall be set by resolution of the City Council.
3. The City Council shall have the right to refuse to accept any installation that is installed before application for services has been approved and a permit has been issued.

B. Materials & Installation

1. The pipe shall be of copper or other approved material at least 3/4" in diameter and placed a minimum of 6 feet below the surface.
2. The curb stop shall be furnished by the City and installed as near the property line as practical, at the expense of the owner.
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 stop 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 stop.
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 the curb stop 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 installations.

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. 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 4 times per year, every 3 months, and the charge determined by actual gallons used. Should the meter quit working, the charge for that quarter will be estimated from prior usage.
2. A reading may be made more frequently at the discretion of the Council.
3. A penalty of 10% of the amount of the bill may be charged for any bill delinquent over 90 days from the billing date.
4. Any water bill remaining unpaid after 4 months shall be considered cause for termination of service. Following 10 days notice, the Council or their representative shall be authorized to turn off the water at the curb stop. A fee shall be charged to disconnect and reconnect services.
5. Water provided to property that is unmetered shall be charged at a flat fee per quarter as set forth in the rate and fee resolution.
6. Any bill remaining unpaid for 4 months may be assessed against the property and the County Auditor shall be instructed to add it to the taxes.

C. Hook-up Charges

1. The owner of the real estate shall pay a hook up 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 box, curb stop 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, for installing 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. Renters of property in the City will be required to pay an initial fee as stated in the most recent resolution.

SECTION V. PROTECTION

A. It shall be unlawful for any person except a City official, employee, member of the fire department or other person acting under the direction of such official or employee of the City 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 stop.
4. Turn on any water supply at the stop box, or tap any distributing main or pipe of the water supply system or insert a stop cock or other appurtenance therein.

B. It shall be unlawful for any person to take or draw water from the connection of another person without 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 be deemed guilty of a misdemeanor. Each day that a violation continues shall constitute a separate offense.

SECTION VI. REPEAL

The following ordinances of the City of Bird Island, Renville County, Minnesota are hereby repealed: Nos. 76, 84, 91, 92, 138, 172 and all other provisions of ordinances inconsistent with this ordinance.

SECTION VII. EFFECTIVE DATE

This ordinance becomes effective upon its passage and publication according to law.

Passed by the Bird Island City Council this _____ day of _____, 2001.

Mayor

Clerk