

## ORDINANCE 76

### AN ORDINANCE RELATING TO THE ADMINISTRATION, OPERATION AND PROTECTION OF THE WATER WORKS OF THE VILLAGE OF BIRD ISLAND, RENVILLE COUNTY, MINNESOTA

The Village council of the Village of Bird Island ordains:

#### Section 1. Definition of Water Works

The water works of the Village of Bird Island shall include but not be limited to the following property, now owned or hereafter acquired by said village, used in providing a water supply for the village and its inhabitants; wells, pumping stations, pumping and other equipment, water tanks and towers, fire hydrants, water mains, service connections including curb cocks and boxes, and water meters.

#### Section 2. WATER CENNECTIONS.

(a) A water connection shall consist of two parts, namely, that portion of the pipe between the main and the curb cock, designated and referred to as a service connection, and that portion of the pipe between the curb cock and the dwelling or other property served by the connection, designated and refered to as a SERVICE PIPE. The curb cock shall be considered as a part of the service connection and shall be located as near as possible to the curb or at some other suitable point designated by a duly appointed representative of the Village Council.

(b) Each water customer shall have a separate and distinct water connection, Branch service pipes may be attached to a service connection, provided written approval for such installation is secured from the Village Council or its duly appointed representative and a separate curb cock is provided for each branch.

(c) Each water connection hereafter installed shall consist of copper pipe unless the Village Council shall authorize the substitution of a pipe of some other material.

#### SECTION 3. SERVICE CONNECTIOS.

(a) Service connections hereafter furnished and installed by the Village shall remain the property of the Village and be maintained by it.

(b) Any service connection hereafter installed shall be maintained by the Village so long as such connection remains in use or until its replacement is ordered by the Village Council. The cost of repairs made by the Village to such connection shall be paid by the owner of the property served by the connection.

(c) any owner of real estate located within the village who desire to secure a connection with the municipal water system shall file a written application for a service connection with the village clerk. Upon approval of the application by the village Council, a service connection shall be provided by the village. The applicant shall pay to the village a service connection fee of fifty dollars except that when the length of the service connection provided shall exceed seventy five feet or a pipe larger than three fourths inch in diameter is required, the applicant shall pay such additional amount as the Village Council shall desire.

(d) Any owner of real estate who has a service connection may file a written application for a replacement of such connection with the Village Clerk. Upon approval of such application by the village Council, a service connection shall be provided by the village. The applicant shall in such case pay to the Village one half of the service connection fee provided in subdivision (c) of this section or the cost of providing connection, which ever is the less.

(e) Any service connection consisting of other than copper pipe shall be replaced before the hard surfacing of the street where such connection is located or whenever in the opinion of the Village Council such replacement is necessary. When the replacement of a service connection fee provided in subdivision (d) of this section.

(f) The owner of property having a service connection consisting of copperpipe may assign ownership of such connection to the Village. Upon acceptance of such assignment by the Village Council, the village thereafter own and maintain such connection.

#### SECTION 4 Service Pipes.

- (a) The entire cost of providing and maintaining a service pipe shall be borne by the owner of the property where such pipe is located.
- (b) All service pipes shall be installed by or under the direction of a qualified plumber.
- (c) A shut off and drain cock shall be installed in each service pipe in such a manner that the water can be shut off and the meter and plumbing completely drained.
- (d) A suitable place, convenient for the reading of the meter, shall be provided in each service pipe line for the installation of a meter.
- (e) No branch service pipe leading to other property shall be connected to a service pipe between the curb cock and the meter without the written approval of the Village Council or its duly appointed representatives.
- (f) Any service pipe, meter and plumbing shall be open for inspection at all reasonable hours by a duly appointed official or employee of the village.

#### Section 5 Water Meters

- (a) The Village shall provide a water meter for each water connection hereafter installed and for any connection not having a meter upon the passage of this ordinance.
- (b) A water meter fee of fifteen dollars or the cost of a suitable meter, which ever is greater shall be paid by the owner of the property when a meter is furnished by the village as provided in this section. A meter rent of one dollar per quarter may be charged in lieu of the required meter fee. Seventy-five per cent of the meter rent paid by a property owner shall be applied on the payment of the meter fee until the fee is paid in full, after which time no further meter rent shall be charged.
- (c) Any property owner who desires to exchange his meter for a village owned meter may file a written application with the village clerk for such exchange. Such application shall state the exchange value of such meter. Upon approval of the Village Council of such application the applicant shall pay to the village the difference between the meter fee and the exchange value as stated in the application.
- (d) Any water meter furnished by the village as provided in this section shall be maintained by the village, except that the cost of repairs made necessary by freezing or negligence of the water customer shall be paid by such customer.
- (e) The cost of repairs made by the village to privately owned meter shall be paid by the water customer using such meter.

#### Section 6 WATER RATES

- (a) Water supplied to a regular customer shall be measured by a meter. The following rate schedule shall apply:
  - For the first 5000 gallons at the rate of \$.60 per 1000 gallons
  - For the second 5000 gallons at the rate of \$.50 per 1000 gallons
  - For the excess of 10,000 gallons at the rate of \$.20 per 1000 gallons
- (b) The village Council shall determine the flat charge for water to be paid by an occasional or special customer.
- (c) The minimum water bill shall be two dollars per quarter except when service is begun or terminated within a quarter.

## SECTION 7 WATER BILLS

(a) A water bill shall be rendered to each customer for the quarters ending March 31, June 30, September 30 and December 31 of each year. Such bill shall be payable on or before the first day of May, August, November, and February following the close of the respective quarters. A penalty of ten per cent of the charge for water shall be added to a bill unpaid at the due date thereof.

(b) The village shall have authority to discontinue service to any customer without notice whenever necessary of for the non payment of a water bill or the non payment of any fee, rent or other charge made under the provisions of this ordinance. When service is discontinued for non-payment of a water bill, fee, rent, or other charge, such service shall not be resumed until such water bill, fee, rent or other charge together with a fee of one dollar for turning on the water shall have been paid.

## SECTION 8 PROTECTION OF WATE WORKS

(a) It shall be unlawful for any person except a village official, employee or a 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 or (2) take or draw water from any hydrant, or (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 water 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 whole such official or employee is engaged in the lawful performance of 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 provisions 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 exceeding ninety days.

## Section 9 Repeal

The following ordinances of the Village of Bird Island, Renville County, Minnesota are hereby expressly repealed, Nos. 21, 44, 61, 65

## Section 10 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 11 TAKE EFFECT

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

PASSED by the VILLAGE COUNCIL this seventh day of June 1949

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J.K. Ploof, Mayor

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Jay. S. Burrell, Clerk