

# ORDINANCE NO. 384W

AN ORDINANCE GOVERNING THE OPERATION OF THE MUNICIPAL WATER SYSTEM OF THE CITY OF WEIR, KANSAS AND ESTABLISHING THE TERMS AND CONDITIONS AND FEE STRUCTURE UNDER WHICH WATER SERVICE WILL BE PROVIDED BY THE CITY OF WEIR KANSAS TO ITS RESIDENTS AND TO THOSE RESIDING OUTSIDE OF THE CITY LIMITS OF THE CITY OF WEIR, KANSAS.

Be it ordained by the governing body of the City of Weir, Kansas:

**Section 1. WATER PLANT OPERATOR.** The general management, care, control and supervision of the city water system shall be in the water plant operator, who shall be appointed by the mayor with the consent of the governing body.

**Section 2. REGULATIONS.** The furnishing of water to customers by the city through its waterworks system shall be governed by the regulations set out in this ordinance.

**Section 3. SERVICE NOT GUARANTEED.** The city does not guarantee the delivery of water through any of its mains and connecting services at any time except only when its mains, pumping machinery, power service connection are in good working order, and the supply of water is sufficient for the usual demand of its consumers.

**Section 4. SERVICE CONNECTIONS REQUIRED.**

(a) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the city abutting on any street, alley, or right-of-way in which there is now located or may in the future be located near public water mains, is hereby required at his or her own expense to make connection to such public water main.

(b) Before any connection is made to the city's water system an application must be made in writing to the city clerk by the owner of the premises, or his or her authorized representative, for a permit to make such connection.

**Section 5. APPLICATION FOR SERVICE.**

(a) Any person, firm or corporation desiring a connection with the municipal water system shall apply in writing to the city clerk, on a form furnished by the city for that purpose, for a permit to make the connection.

(b) The application shall:

- (1) Contain an exact description including street address of the property to be served;
- (2) State the size of tap required;
- (3) State the size and kind of service pipe to be used;
- (4) State the full name of the owner of the premises to be served;
- (5) State the purpose for which the water is to be used;
- (6) State any other pertinent information required by the city clerk;
- (7) Be signed by the owner or occupant of the premises to be served, or his or her authorized agent.

(c) Each application for a connection permit shall be accompanied by payment of fees and/or costs specified in Section 7.

**Section 6. CITY TO MAKE CONNECTIONS.** All taps shall be given, street excavations made, corporation cocks inserted, pipes installed from main to curb, and the curb cock installed in a meter box to which the service pipe is to be connected by city employees only.

**Section 7. CONNECTION FEES.** The fees for connection to the city waterworks system shall be as follows:

- (a) For connecting water main with one inch tap, one inch service line and installing one inch meter - a

minimum of \$150.00 plus tax and a \$50.00 sewer inspection fee;

(b) For connecting water main with larger than an inch tap, service line or meter - a minimum of \$150.00 plus tax and a \$50.00 sewer inspection fee.

**Section 8. CURB COCKS.** There shall be a curb cock in every service line attached to the city main, the same to be placed within the meter box. Curb cocks shall be supplied with strong and suitable "T" handles.

**Section 9. CHECK VALVES.** Check valves are required on all connections to steam boilers or on any other connection deemed necessary by the water plant operator. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of 40 pounds per square inch.

**Section 10. UNAUTHORIZED SERVICE.** It shall be unlawful for any person, firm, or corporation, other than duly authorized city officials or employees to turn water on or off at the water meter or curb cock shut off, with a key or in any other manner, without first obtaining written permission from the mayor or the governing body.

**Section 11. METERS.**

(a) All water furnished to customers shall be metered.

(b) Meters shall be located between the sidewalk or property line and curbing when the main is in the street, and on private property within three feet of the alley line when the main is in the alley. In the business district the meters may be installed in the basement at a location specified by the city.

(c) The city's responsibility stops at the property line.

(d) From this date forward, there shall be no more than one residence per water meter allowed.

**Section 12. METERS; TESTING.** Meters shall be tested before being set and at any other time thereafter when they appear to be measuring incorrectly. If a test is requested by the customer and the meter is found to be accurate within two percent, the meter will be deemed correct and a charge of \$10.00 will be made to the customer.

**Section 13. TAMPERING WITH METER.** It shall be unlawful for any person to break the seal of any meter, to alter the register or mechanism of any meter, or to make any outlet or connection in any manner so that water supplied by the city may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee of the water department to turn any curb cock on or off.

**Section 14. LEAKS PROHIBITED; PENALTY.** No allowances shall be made for water used or lost through leaks, carelessness, neglect or otherwise after the same has pass through the meter. However, every customer shall have the right to appeal to the city from water bill or meter reading which he or she may consider excessive.

**Section 15. RECONNECTION CHARGE.** Any service disconnected for nonpayment of delinquent bill shall be reconnected only upon payment of the delinquent bill, interest penalty thereon, and the reconnection charge. Delinquent bills are put on the Shut Off List on the 12<sup>th</sup> day of the month that the bills are due. If that date falls on a weekend, the shut off date is the first business day following the 12<sup>th</sup>.

(a) Once the utility account is placed on the City's Shut Off List, reconnection fees must be paid even if the utilities have not physically been disconnected.

(b) Payment may only be made with cash or money order to have service reconnected. Checks will not be accepted to reconnect utilities.

(c) Reconnection fees will be \$50.00 for each occurrence.

**Section 16. UTILITY DEPOSIT.** At the time of making application for water service, the property owner or customer shall make a cash deposit of a minimum of \$120.00 to secure payment of accrued bills or bills due on discontinuance of service.

**Section 17. INTERRUPT SERVICE.** The city reserves the right to interrupt water service for the purpose of making repairs or extensions to water lines or equipment.

**Section 18. PROHIBITED ACTS.** It shall be a violation of this ordinance for any unauthorized person to:

- (a) Perform any work upon the pipes or appurtenances of the city's waterworks system beyond a private property line unless such person is employed by the city;
- (b) Make any connections with any extension of the supply pipes of any consumer without written permission to do so having been first obtained from the governing body;
- (c) Remove, handle or otherwise molest or disturb any meter, meter lid, cutoff, or any other appurtenances to the water system of the city.

**Section 19. WASTING WATER.** Water users shall prevent unnecessary waste of water and shall keep sprinklers, hydrants, faucets and all apparatus, including the service line leading from the property to the meter in good condition at their expense.

**Section 20. RIGHT OF ACCESS.** Authorized employees of the city may enter upon any premises at reasonable hours for the purpose of reading the meter or servicing or inspecting meters or water lines.

**Section 21. RATES.** The rates per month for the use of water in the city shall be those set forth in Ordinance No. 383W of the City of Weir, Kansas.

**Section 22. PAYMENT OF BILLS.** All water bills for the previous month's water service shall be paid on or before the 5<sup>th</sup> of the month following the service. For any billing not paid when due a late charge of 15 percent (15%) will be added to the bill.

**Section 23. DELINQUENT ACCOUNTS; NOTICE; HEARING; FINDING; LIABILITY.** Water service shall be terminated for nonpayment of service fees or charges.

**Section 24. CROSS-CONNECTIONS PROHIBITED.** No person shall establish or permit to be established or maintain or permit to be maintained, any cross connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the city may enter the supply and distributing system of the city unless specifically approved by the Kansas Department of Health and Environment and the governing body.

**Section 25. SAME; PROTECTIVE BACKFLOW DEVICES REQUIRED.** Approved devices to protect against backflow or back-siphonage shall be installed at all fixtures and equipment where backflow and/or back-siphonage may occur and where there is a hazard to the potable water supply in that polluted water or other contaminating materials may enter into the public water supply. Any situation in which a heavy withdrawal of water, such as a sudden break in the main or water being used from a fire hydrant, may cause a negative pressure to develop which could lead to back-siphonage of polluted water into the system shall be improper and must be protected by approved backflow preventive valves and systems as determined by the superintendent.

**Section 26. SAME; INSPECTION.** The water plant operator or other designee of the governing body shall have the right of entry into any building or premises in the city as frequently as necessary in his or her judgment in order to ensure that plumbing has been installed in accordance with the laws of the city so as to prevent the possibility of pollution of the water supply of the city.

**Section 27. SAME; PROTECTION FROM CONTAMINANTS.** Pursuant to the city's constitutional home rule authority and K.S.A. 65-163a, the city by its water plant operator may refuse to deliver water through pipes and mains to any premises where a condition exists which might lead to the contamination of the public water supply system and it may continue to refuse

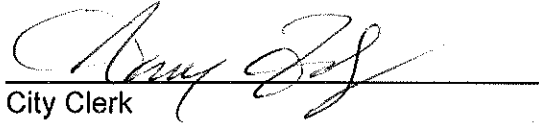
the delivery of water to the premises until that condition is remedied. In addition, the water plant operator may terminate water service to any property where the cross connections or back-siphonage condition creates, in the judgment of the water plant operator, an emergency danger of contamination to the public water supply.

**Section 28. REPEALING INCONSISTENT ORDINANCES.** All ordinances or parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

**Section 29. EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after passage, approval and publication in the official City newspaper.

**ADOPTED and APPPROVED** by the City Council of Weir, Kansas, this 12th day of February, 2014.

  
Mayor

  
City Clerk

