

CITY OF AVOCA

TITLE IV: COMMUNITY SERVICES **CHAPTER 1: WATER SERVICE SYSTEM**

1.01 DEFINITIONS. The purpose of this chapter is to establish rules and regulations governing the water service system of the City.

1.02 DEFINITIONS. The following terms are defined for use in this chapter:

1. “Board” means the Board of Trustees of the City of Avoca’s Water Service System.
2. “Combined service account” means a customer service account for the provision of two or more utility services.
3. “Customer” means, in addition to any person receiving water service from the City, the owner of the property served, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.
4. “Utility Staff” means any duly authorized assistant, agent or representative of the utility.
5. “Water main” means a water supply pipe provided for public or community use.
6. “Water service pipe” means the pipe from the water main to the building served.
7. “Water system” or “water works” means all public facilities for securing, collecting, storing, pumping, treating and distributing water.

1.03 UTILITY STAFF’S DUTIES. The Utility Staff shall supervise the installation of water service pipes and their connection to the water main and enforce all regulations pertaining to water services in the City in accordance with this chapter. This chapter shall apply to all replacements of existing water service pipes as well as to new ones. The Utility Staff shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, subject to the approval of the Board. In the event of an emergency the Utility Staff may make temporary rules for the protection of the system until due consideration by the Board may be had.

(Code of Iowa, 372.13[4])

1.04 ESTABLISHMENT OF RATES. The Board shall establish all charges and rates for service by resolution, to be published in the same manner as an ordinance of the City Council.

(Code of Iowa, 384.84)

1.05 MANDATORY CONNECTIONS. All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water system, if it is reasonably available.

1.06 ABANDONED CONNECTIONS. When an existing water service is abandoned or a service is renewed with a new tap in the main, all abandoned connections with the mains shall be turned off at the corporation cock and made absolutely watertight.

1.07 PERMIT. Before any person makes a connection with the public water system, a written permit must be obtained from the City. The application for the permit shall include a legal description of the property, the name of the property owner, the name and address of the person who will do the work, and the general uses of the water. If the proposed work meets all the requirements of this chapter and if all fees required under this chapter have been paid, the permit shall be issued. Work under any permit must be completed within sixty (60) days after the permit is issued, except that when such time period is inequitable or unfair due to conditions beyond the control of person making the application, an extension of time within which to complete the work may be granted. The permit may be revoked at any time for any violation of these chapters. Permit fees shall be set by resolution of the Board of Trustees.

1.08 CONNECTION CHARGE. There shall be a connection charge set by resolution of the Board to be paid before issuance of a permit to reimburse the City for costs borne by the City in making water service available to the property served. Said connection charge shall include tapping the main, installation of the curb stop and service pipe from the main to the curb stop.

(Code of Iowa, 384.84)

1.09 COMPLIANCE WITH PLUMBING CODE. The installation of any water service pipe and any connection with the water system shall comply with all pertinent and applicable provisions, whether regulatory, procedural or enforcement provisions, of the State Plumbing Code, as adopted by Chapter 135 of the Code of Iowa and Chapter 661 of the Iowa Administrative Code

1.10 PLUMBERS REQUIRED. All installations of water service pipes and connections to the water system shall be made by a licensed plumber. Violations of any rules or regulations of this chapter or additional rules adopted by the City for the administration of the water system shall result in the forfeiture of the plumber's license by the person violating such rules, which forfeiture shall operate to suspend the license of partners, associates and employees of the plumber whose license is so forfeited.

1.11 EXCAVATIONS. All trench work, excavation and backfilling required in making a connection shall be performed in accordance with applicable excavation provisions as provided for installation of building sewers and/or other provisions of the Code of Ordinances.

1.12 TAPPING MAINS. All taps into water mains shall be made by or under the direct supervision of the Utility Staff in accordance with City specifications. No more than one house, building or premises shall be supplied from one tap unless special written permission is obtained from the Utility Staff and unless provision is made so that each house, building or premise may be shut off independently of the other.

1.13 INSTALLATION OF WATER SERVICE PIPE. Water service pipes from the main to the meter setting shall be Type K copper. The use of any other pipe material for the service line shall first be approved by the Superintendent. Pipe must be laid sufficiently waving, and to such depth, as to prevent rupture from settlement or freezing.

1.14 RESPONSIBILITY BEYOND THE MAIN. All costs and expenses incident to the installation, connection and maintenance of the water service system from the main to the building served shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of said water service pipe.

1.15 FAILURE TO MAINTAIN. When any portion of the water service pipe, which is the responsibility of the property owner, becomes defective or creates a nuisance and the owner fails to correct such nuisance the City may do so and assess the costs thereof to the property.

(Code of Iowa, 364.12[3a & h])

1.16 CURB STOP. There shall be installed within the public right-of-way a main shut-off valve of the inverted key type on the water service pipe one foot from the outer sidewalk line with a suitable lock of a pattern approved by the Utility Staff. The shut-off valve shall be covered with a heavy metal cover having the letter "W" marked thereon, visible and even with the pavement or ground.

1.17 INTERIOR STOP AND WASTE COCK. There shall be installed a shut-off valve and waste cock on every service pipe inside the building as close to the entrance of the pipe within the building as possible and so located that the water can be shut off conveniently and the pipes drained. Where one service pipe supplies more than one customer within the building, there shall be separate valves for each such customer so that service may be shut off for one without interfering with service to the others.

1.18 INSPECTIONS AND APPROVAL. All water service pipes and their connections to the water system must be inspected and approved in writing by the Utility Staff before they are covered, and the Utility Staff shall keep a record of such approvals. If the Utility Staff refuses to approve the work, the plumber or property owner must proceed immediately to correct the work. Every person who uses or intends to use the municipal water system shall permit the Utility Staff to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority.

1.19 COMPLETION BY THE CITY. Should any excavation be left open or only partly refilled for twenty-four (24) hours after the water service pipe is installed and connected with the water system, or should the work be improperly done, the Utility Staff shall have the right to finish or correct the work, and the Board shall assess the costs to the property owner. If the property owner is assessed, such assessment may be collected with and in the same manner as general property taxes.

(Code of Iowa, 364.12[3a & h])

1.19 CITY LIABILITY LIMITED. The City shall not be responsible to any person for any damage or injury resulting from or because of the use of City water, operation of waterworks, pressure of mains, pipes or equipment, breaking of or injury to any mains or other equipment used with City water or through failure of supply or arising from shutting off or turning on water, or in any part of the administration of the waterworks. The City shall assume no responsibility for leaks in service beyond the meter.

1.20 SHUTTING OFF WATER SUPPLY. The Utility Staff may shut off the supply of water to any customer at any time for any cause considered sufficient, including failure to make payment for any labor performed or materials or services provided by the City in relation to the customer's water service, and notwithstanding any permit granted, contract made or regulation established. The supply shall not be turned on again until all violations have been corrected and the Utility Staff has ordered the water to be turned on.

1.21 OPERATION OF CURB STOP AND HYDRANTS. It is unlawful for any person except the Utility Staff to turn water on at the curb stop, and no person, unless specifically authorized by the City, shall open or attempt to draw water from any fire hydrant for any purpose whatsoever.

1.23 PROHIBITED CONNECTIONS. From the effective date of this Chapter, water service line connections and water service mainline extensions are prohibited outside the city limits. All properties and subdivisions seeking to be served by the water service system shall annex into the City limits prior to the extension of services. Properties receiving City sanitary sewer service shall connect to the City's water service system. If a property does not connect to the City's water services system, the property shall not be connected to the City's sanitary sewer system.

1.22 RATES OUTSIDE THE CITY. Water service may be provided to any customer located outside the corporate limits of the City that is receiving water service at the effective date of this ordinance. The rate for service outside of the City limits shall be two hundred fifty percent (250%) of the rates and charges as provided in 1.03 of this Chapter.

(Code of Iowa, 364.4 & 384.84)

1.25 FAILURE TO PAY. All water bills that are not paid by due date will be declared delinquent. Upon delinquency, the customer shall be given a ten-day shut-off notice. If the bill has not been paid within the ten-day period, Utility Staff shall shut off water service to the property. The water shall in no case be turned on again until seventy-five percent (75%) of all delinquencies, together with appropriate service charges, have been paid in full.

1.26 IRRIGATION METER. An irrigation meter may also be installed, for residential or commercial use, to measure water that is not disposed of through the public sanitary sewer system. The water measured by an irrigation meter may include water for swimming pools, watering yards, watering gardens, production purposes or other similar uses. Sanitary sewer charges shall not be applied to water purchased through an irrigation meter. The City Manager shall approve or disapprove any application for an irrigation meter and set appropriate rules governing its installation.

1.27 VIOLATION AND PENALTIES. Any person, firm or corporation who shall violate or fail to comply with the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned for not more than thirty (30) days. Each day such violation continues shall constitute a separate offense.