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8-2-1: PURPOSE: The purpose of this Chapter is to:

(A) Establish reasonable rules and regulations for the operation of the Water Department of the City.

(B) To establish reasonable fees to be charged to customers receiving water service and provide fair, orderly and efficient procedures for collection and termination of delinquent accounts.

(C) To establish a fair and equitable means of having persons who hook into and receive a direct and immediate benefit from existing water mains by requiring them to participate in the capital cost of water mains fronting upon their property and which have been constructed at taxpayer expense or from revenues derived from the operation of the water system.

(D) To establish a fair and equitable charge for the actual cost of materials and labor expended by the City whenever City crews install water service for a customer.

(E) To protect the public health and welfare by controlling cross-connections or other sources or potential sources of contamination to the City water supply.

(F) To provide a clean, efficient and adequate water system for the residents of the City.

8-2-2: DEFINITIONS: Certain terms used in this Chapter shall have the meanings ascribed below:

APARTMENT: A structure in which two or more separate residential units are constructed and designed so the occupants share common dining or restroom facilities and for which the occupants pay rent or other consideration.
BACKFLOW: The flow other than in the intended direction of flow, of any non-potable waters, foreign liquids, gases or harmful or offensive substances into the City water supply as a result of reduced, negative or back pressure.

BACKFLOW PREVENTION ASSEMBLY An apparatus which prevents Backflow

CALCULATED GROSS SYSTEM VALUE: The Gross System Value calculated by the City on any Connection Fee Calculation Date in accordance with the methodology set forth in section 8-2-14 of this Code.

CCI-ENR: The Construction Cost Index as published from time to time by the Engineering News-Record for U. S. Cities. (See http://www.enr.com)

CITY: The City of Iona, Idaho.

CONNECTION FEE CALCULATION DATE: The date of any calculation of the Water System Connection Fee undertaken pursuant to section 8-2-14 of this Code.

CROSS-CONNECTION: Any physical arrangement whereby the City water system is connected or potentially connected with any other water supply system, sewer, drain, conduit, pool, storage reservoir or any other source of water supply which contains or may contain contaminated water, chemicals, sewage or other waste or liquids which may be harmful to human health or which may deleteriously affect the City water supply.

CURB STOP: The service line valve owned by the City and located near the customer's property line.

CUSTOMER LINE: The pipe, valves and fittings leading from the curb stop into the premises served, including the water box assembly and water meter (if any) attached thereto.

EQUIVALENT DOMESTIC USER: A hypothetical customer whose needs for water service can be reasonably and prudently served by a standard one (1.0") diameter residential water service line.

EQUITY BUY-IN METHODOLOGY The methodology for calculating Water Service Connection Fees as set forth in this chapter.

EXISTING CUSTOMER: Any customer of the City whose water service line was connected to the City water system prior to the effective date of the Ordinance adopting the Equity Buy-in Methodology for calculating Water System Connection Fees.
GROSS SYSTEM VALUE: The total Net Cost to replace all System Assets including all design, engineering and construction costs associated therewith, together with all System Cash Revenues held in the City Water System Capital Improvement Fund, all as determined according to generally accepted engineering and accounting practices.

INITIAL GROSS SYSTEM VALUE: The Gross System Value for the end of the year 2016 as determined by Schiess & Associates, PC, Engineering Company as set forth in that certain Engineering Report dated July 24, 2017, a copy which shall be filed with the City Clerk immediately following the publication of the Ordinance adopting this chapter and which shall be there maintained for inspection by the public.

NET COST: An amount equal to the cost of any System Improvement less any portion of such amount paid by a state or federal grant or with in-kind donations or grants in aid of development by a private person or entity. Such amount shall include amounts expended for the design, construction or construction management services necessary to install or otherwise put such improvements into an operable condition.

NET SYSTEM VALUE: The Gross System Value at the time of any Connection Fee Calculation Date minus any Outstanding System Indebtedness, Unfunded Depreciation and state or federal grants, all determined as of the most recent Connection Fee Calculation Date.

NEW CUSTOMER: Any customer who connects his or her water service to a City-owned water main line after the effective date of the Ordinance adopting the Equity Buy-in Methodology.

OPEN HOSE: The use of water through a hose without a nozzle or other pressure-limiting device or assembly.

OUTSTANDING SYSTEM INDEBTEDNESS: The aggregate unpaid principle balance of any indebtedness attributable to any bond or loan secured, obtained or issued by the City for the purpose of constructing System Assets, or for the purpose of enlarging, expanding or rehabilitating such improvements as such indebtedness exists at the time of any Connection Fee Calculation Date.

SERVICE LINE: The water pipe, valves and fittings laid from publicly owned main line to the water meter box (if present), or the curb stop, in the absence of a water meter box.

SINGLE FAMILY DWELLING: All structures, except hotels, motels, rooming houses and apartments, which contain sleeping, restroom, cooking and dining facilities.
SYSTEM ASSETS: All main lines, distribution lines, pumps, water tanks, motor vehicles, back hoes, equipment, inventory, supplies, water rights and permits and real or personal property of every kind or nature constructed or purchased at City expense and used for the purpose of providing culinary water service to the residents of the City or for the purpose of providing for the operation and maintenance of such property.

SYSTEM CAPACITY: The total number of Equivalent Domestic Users which may be reasonably and prudently served by the Water System at the time of a Connection Fee Calculation Date, as calculated and determined in accordance with sound and generally accepted engineering principles.

SYSTEM CASH RESERVES: All cash revenues and reserves held or controlled by the City in the City Water System Capital Improvement Fund.

SYSTEM ENHANCEMENTS: Any improvement, expansion, increase in capacity or enhancement of any System Asset installed, purchased or otherwise acquired solely for the use of the Water System after the date of the Engineers Report by Schiess & Associates, PC, Engineering Company filed with the City Clerk, pursuant to this Chapter.

UNFUNDED DEPRECIATION: An amount of depreciation for depreciable System Assets, calculated in accordance with generally accepted accounting principles determined as of any Connection Fee Calculation Date for which no reserve has been set aside or otherwise maintained in the Water Line Capital Improvement Fund for the purpose of repairing, replacing or rehabilitating existing System Assets.

WATER MAIN: Water pipe laid in a street, road, alley or easement within the City or within an easement controlled by the City or pursuant to a permit or license issued to the City.

WATER METER: A water meter and its enclosure, valve and related appurtenances.

WATER SYSTEM: The Water System owned and operated by the City.

WATER SYSTEM BOND: Any bonded indebtedness issued for the purpose of constructing, enlarging, rehabilitating or expanding the capacity of the Water System.

WATER SYSTEM LOAN: Any loan, the proceeds of which were used to construct, enlarge or increase Water System capacity or to rehabilitate any portion of the Water System.

(Ord. 215-08-07; 8/15/2017); (Ord. 216-10-17; 10/17/17)
8-2-3: CITY TO HAVE EXCLUSIVE MANAGEMENT AND CONTROL: The City shall have exclusive control and management of the City water system and shall have exclusive management and control of the supply and distribution of water to the inhabitants thereof. The City may make such rules and regulations as are necessary for the complete management, control, distribution and supply of water within and without the City.

8-2-4: GRANTING OF FRANCHISE PROHIBITED: No person shall be granted any franchise or permit to furnish or supply any inhabitant within the City any water for domestic or culinary use or for sprinkling of lawns and gardens within any portion thereof where the water mains have been extended or may hereafter be extended so as to supply said property with water.

8-2-5: CITY NOT LIABLE FOR DAMAGES: The City shall not be liable for damages caused by interruptions of water supply, scarcity of water, accidents to water works or mains or during the time of alterations, additions or repairs or for any other unavoidable causes. Nothing herein is intended to create any private duty to any customer or create a private right of action against the City, on account of any failure by the City or its officers, agents or employees, to provide water service or comply with the provisions of this chapter.

8-2-6: DUTIES OF SUPERINTENDENT: (REPEALED) (Ord, 131, 1/15/08)

8-2-7: RIGHT TO TURN OFF WATER: The City may turn off water within the City water system when deemed necessary to maintain or repair the water system or when ordered to do so by the Mayor or Council.

8-2-8: WASTE PROHIBITED: It shall be unlawful for any water user to waste water or allow it to be wasted by improper use or by faulty facilities. Irrigation by open hoses is prohibited.

8-2-9: MAYOR MAY LIMIT USE OF WATER: In times of, or in anticipation of, scarcity of water, or when the Water Department is unable to furnish a sufficient supply of water, the Mayor may, by public proclamation limit the use of water to such extent as may be necessary for the public good. Such proclamation shall be published in two (2) consecutive issues of the official newspaper, or conspicuously posted in two or more public places within the City, and after such publication or posting, the proclamation shall have the same force and effect as a City ordinance.

8-2-10: INSPECTION OF PREMISES: Free access for inspection shall, upon such reasonable notice as the circumstances permit, be allowed to all persons authorized by the City to enforce the provisions of this Chapter, to all places supplied with water from the City water system.

8-2-11: PERMITS AND SERVICE CONNECTION FEES: It shall be unlawful to install, alter or connect any water service within the City to any water line within the City without first obtaining a permit from the City and paying the service connection fees set forth in this chapter. Applications for water service shall be made at the office of the City
Clerk. The customer shall be responsible for all costs to install the service line and to repair damage to the street or any other public facilities caused by such connection.

8-2-12: EXTENSION OF WATER MAINS WITHIN CITY: The Water Department or the City Council may extend water mains within the City at City expense whenever, in their sole discretion, such extension is necessary for the health, welfare or safety of the residents of the City, provided however nothing herein shall require that such extension be made at City expense. The City may require any customer desiring water service to install at the customer's expense a water main along the entire frontage of such customer's property.

8-2-13: EXTENSION OF WATER MAINS OUTSIDE CITY: Water mains shall not, without the approval of the Council be extended outside the corporate limits of the City, unless adequate excess water is available for such service. Such agreements shall specifically reserve the right to terminate such service without cause at any time upon at least thirty (30) days advance written notice.

8-2-14: WATER SYSTEM CONNECTION FEES:

(A) Findings.

(1) The City owns and operates a municipal Water System comprised of main lines, distribution lines, pumps, water tanks, water pumps, back hoes, maintenance equipment, water rights and permits and other real or personal property of any kind together with other appurtenances, all as necessary to provide a sanitary, efficient and satisfactory water supply system to the residents of the City. The City has also established a Water Line Capital Improvement Fund into which revenues derived from the operation of the System are deposited and from which all enterprise expenses are paid. A portion of the fund balance in such Fund is comprised of System Cash Reserves and a depreciation account sufficient to maintain the financial integrity of the System. All of the assets of the Water System were acquired with System Revenues, ad valorem tax revenues, state and federal grants and private “in lieu” grants or donations.

(2) Whenever a New Customer of the Water System connects to the Water System, he or she receives the benefit of the value of all Water System Assets (“Net System Value”). The Net System Value is not considered in establishing the monthly water service rates charged to water customers pursuant to Section 8-2-36 of this Chapter, except to the extent necessary to pay debt service for indebtedness incurred to construct System Enhancements.

(3) The Water System has the capacity to serve a finite number of customers in terms of cumulative capacity as well as peak demand, which capacity is a function of the limits set forth in the City’s water rights permits, as well as the mechanical capacity of the City to maintain satisfactory flow and pressure, as necessary to provide for the health, safety and welfare of the City.
residents. Whenever a New Customer connects to the System or whenever an Existing Customer enlarges his or her water service line, such connection or enlargement diminishes the total capacity of the System to maintain adequate pressure and water supply.

(4) The establishment of a System Water Connection Fee will provide a means for a “buy-in” of system equity by New Customers who connect to the Water System or by Existing Customers who enlarge their existing water service connections.

(5) In *Loomis v. City of Hailey*, 119 Idaho 434, 807 P.2d 1272 (1991), the Idaho Supreme Court recognized that the Idaho Revenue Bond Act (the “Act”) (Idaho Code § 50-1027 *et seq*) authorizes collection of water and sewer connection fees as long as such fees are allocated and budgeted in conformity with the Act and are not established primarily for the purpose of raising revenue. Specifically, the Court recognized that a city ordinance authorizing the collection of “equity buy-in” water and sewer service connection fees from new users based upon a formula which defines the current value of the system and fairly apportions a share of such value to the new user, was reasonable and did not require a new user to pay an excessive amount such as would constitute an unlawful tax.

(6) Customers who connect to a City-owned water main located immediately adjacent to their property receive a direct benefit from such Water Mains and such benefit is directly proportional to the length of the frontage of the Water Main along their property. Whenever such water mains are constructed at private expense or are donated to the City, the City may enter into reimbursement agreements with such private donors in order to allow such donors to recover a proportionate share of the costs of construction of such water mains, proportional to the length of frontage owned by such subsequent customer along such water mains. However, the costs of such privately funded water mains is not included in the methodology used to calculate the Water System Connection Fee contemplated by this chapter.

(B) Imposition of Water System Connection Fee. No New Customer of the City Water System shall connect to a City-owned Water Main or Meter nor shall an Existing Customer enlarge an existing water service line connected to a City-owned Water Main or Meter, unless he or she has first paid a Water System Connection Fee as established pursuant to this section. Such connection fee shall be collected by the City Clerk at the time a building permit is issued for any structure utilizing such connection or, if no building permit is required, then prior to the issuance of a permit under section 8-2-22 of this chapter. The amount of such Water Service Connection Fee shall be calculated in accordance with the methodology set forth in this chapter. Notwithstanding the foregoing, no Water System Connection Fee shall be required if the connection is made or required solely for the purpose of providing fire flow protection capacity.
(C) Methodology. The amount of the Water Service Connection Fee shall be calculated by dividing the Net System Value by the System Capacity (as expressed in EDUs) as calculated at the time of any Connection Fee Calculation Date and the resulting amount shall be the base water service connection fee for all customers who thereafter connect to the City water system for the first time after the date of the initial Connection Fee Calculation Date. If an Existing Customer requests a service line greater than one inch in diameter, then the base amount of the Water Service Connection Fee shall be adjusted by the multiplication factors set forth in subsection (D) of this Section. In the event an Existing Customer desires to enlarge or expand the size of his or her existing service connection, then the amount of the connection fee shall be equal to the base water connection fee, as adjusted by the multiplication factors set forth in such table, less the base water connection fee so calculated with respect to the customer’s existing water service line or a one inch service line, whichever is greater. Once the amount of the Water Service Connection Fee has been determined by using such methodology, the City shall adopt a Resolution setting forth the amount of such base Water Service Connection Fee to be charged until a new connection fee is calculated on the next Connection Fee Calculation Date.

(D) Multiplication Factors. The Water Service Connection Fee for each customer shall be equal to the Water Service Connection Fee then in effect, adjusted by the multiplication factors stated in the following table, dependent upon the diameter of the customer’s desired water service line. Such multiplication factors are as follows:

<table>
<thead>
<tr>
<th>Water Service Size</th>
<th>Multiplication Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&quot;</td>
<td>1.0</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>2.0</td>
</tr>
<tr>
<td>2&quot;</td>
<td>3.2</td>
</tr>
</tbody>
</table>

(E) In the event a customer requests a water service line greater than two (2) inches in diameter, then the multiplication factor shall be determined by the water superintendent in a fair and equitable manner, consistent with the principles set forth in this chapter and proportional to the amount of System Capacity reasonably estimated to be consumed by such customer.

(F) Periodic Adjustment of Water Connection Fee. Not less than once every five years, the City shall review and adjust the base water service connection fee as provided in this subsection. Such adjustment shall be made by multiplying the Initial Gross System Value by a fraction, the numerator of which is the CCI-ENR for the year such adjustment is made and the denominator of which shall be the CCI-ENR for the year in which the Ordinance adopting this Chapter was passed. The Net Cost of any System Assets (after adjustment by the CCI-ENR index) made since the last Connection Fee Calculation Date shall then be added to such adjusted Gross System Value and the resulting amount shall be considered as the Calculated Gross System Value for the following five year period. The Net System Value shall
then be determined by the deducting from such Calculated Gross System Value any and all Outstanding System Indebtedness, Unfunded Depreciation and state or federal grants, as may exist as of the Connection Fee Calculation Date. The amount of the base water connection fee shall then be determined in accordance with the methodology set forth in subsection (C) hereof.

(Ord. 103, 12-14-05); (Ord. 135-9-08, 4-15-08); (Ord. 215-08-07; 8/15/2017)

8-2-15: WATER SYSTEM CAPITAL IMPROVEMENT FUND: A Water System Capital Improvement Fund is hereby established into which all revenues derived from Water System Connection Fees collected pursuant to section 8-2-14 of this Chapter shall be deposited. Expenditures from this Fund shall be made only for the purposes set forth in Section 8-2-16 of this Chapter, when authorized by the City Council. In no event shall any of the revenues so collected be used for General Fund purposes, operational expenses of the Water System (e.g. utility costs, labor costs or administrative expense) or for any purpose unrelated to the maintenance of the Water System or the development, expansion or rehabilitation thereof. (Ord. 215-08-07; 8/15/2017)

8-2-16: DISBURSEMENTS OF FUNDS: Disbursements may be made from the Water System Capital Improvement Fund for the following purposes only:

(A) Construction and installation of City water wells, water tanks, pumps, electrical panels and lines and appurtenances.

(B) Construction, installation and extension of City water mains, service lines, including costs of construction of mains with excess capacity.

(C) Payment of principal and interest on any revenue bond or bonds issued by the City to defray the cost of construction, extension or betterment of the City Water System.

(D) Reimbursement of front footage connection fees to any developer or owner who has constructed that portion of a water main for which a front footage connection fee has been charged by the City, provided a reimbursement agreement has been approved by the Council and executed by the developer or owner.

(E) Repair, maintenance, rehabilitation and enlargement of any capital improvement of the City Water System.

(F) Purchase of motor vehicles, backhoes and other mechanical equipment used primarily for the maintenance, repair, enlargement or improvement of the Water System or System Assets.

(Ord. 215-08-07; 8/15/2017)

8-2-16A: FRONT FOOTAGE CONNECTION FEES: Before connecting to any portion of a public water main constructed at the sole expense of a private person or entity, any person desiring such connection shall pay, in addition to the Water System Connection Fee, a Front Footage Connection Fee of thirty dollars ($30) per front foot of property to be
served by such water main. Notwithstanding the foregoing, no front footage connection fee shall be charged to the private person who constructed such portion of the water main. If any person constructs a water main entirely at his or her expense and dedicates it to the City, the City may, by written agreement, pay over to such person all front footage connection fees collected by the City with respect to such water main from any other person who subsequently connects to such water main. In no event shall such agreement extend over a period of greater than ten (10) years nor shall such agreement be assignable to any other party or successor in interest.  (Ord. 215-08-07; 8/15/2017)

8-2-17: INSTALLATION COSTS: Water service lines between the main line and the curb stop shall be installed at the sole expense of the customer.

8-2-18: CUSTOMER EXTENSION OF MAINLINE: The customer shall be responsible for the costs of extending the mainline to his or her property, provided however the City may by written agreement agree to collect a portion of such costs from any other customer who subsequently connects to such customer-supplied mainline.

8-2-19: INSTALLATION AND MAINTENANCE: All service lines and connections from the main to and including the curb stop shall be maintained, owned and exclusively controlled by the City.

8-2-20: ARRANGEMENT OF SERVICEPIPES: The service lines must be so arranged that the water supply to each building, place of business or tract of land shall be controlled by a separate curb stop placed near the property line, unless permission for a different arrangement is first authorized in writing by the City.

8-2-21: BRANCH SERVICE: No service connection serving more than one customer shall be made. Where an existing water service provides service to several customers, the City may terminate water service until a separate service is provided at the owner's expense. If the City does not terminate service to such existing services, the established rate shall be charged for each customer receiving service from the existing line.

8-2-22: PERMIT REQUIRED: No person shall dig into any public right-of-way street or under a public sidewalk for the purpose of laying, removing or repairing any water line without first obtaining a permit from the City.

8-2-23: CUSTOMER LINE MAINTENANCE: All water users shall at their own expense keep their customer lines, connections and other apparatus in good repair and in a condition that avoids waste of water. Customer water lines that become frozen are the responsibility of the customer, provided the City may unthaw the same and charge the customer for the fair and reasonable costs therefor.

8-2-24: PERMIT TO DO PLUMBING: No plumber or other person shall make any connections to a City main or make alterations in any conduit, pipe or other fixture connecting thereto, or connect pipes where they have been disconnected, or turn water off or on at the curb stop supplying any premises without first obtaining a permit from the City. If such work requires excavation within a public right of way, such person shall also obtain a permit under Chapter 3 of this title.
8-2-25: SERVICE CALL CHARGE: The City may assess and collect a service charge, in an amount not to exceed the actual cost to the City, for service calls which are requested on Saturday or a legal holiday or during a time other than normal working hours and which are only for the convenience and benefit of the customer, or which are necessitated because of plumbing which does not meet the requirements of the Uniform Plumbing Code.

8-2-26: TAMPERING UNLAWFUL: It shall be unlawful to damage, adjust or tamper with any portion of the City water system or appurtenances, whether located upon public or private property, without having first obtained the express permission of the City. If any person damages the water system or in any way causes the City to expend extraordinary costs as a result of such unlawful acts, the City may assess and collect the same from the person committing the same, or from the parent or guardian of any minor who commits such acts. Such amounts may be included upon the customer's regular monthly billing statement for water service, and upon the customer's failure or refusal to pay the same, water service may be terminated in accordance with the procedures set forth in this chapter.

8-2-27: AUTHORITY TO PLACE METER: The City may, at its sole discretion, place a meter on any service line and change the method of billing from a flat rate to a metered rate.

8-2-28: OWNERSHIP OF METERS: All water meters installed by the City shall remain the property of the City and may be removed or replaced by the City at any time.

8-2-29: MAINTENANCE OF METERS: The City shall maintain and repair all meters. Where replacement, repair or adjustment of any meter is rendered necessary by the act, neglect or carelessness of the owner or occupant of any premises, any expense incurred by the City thereby shall be charged against and collected from the customer, and water service may be discontinued until the meter is repaired, replaced or adjusted.

8-2-30: METERS; LOCATION AND ACCESS: Meters shall be located near the customer's property line or within the structure served. The customer shall keep the area adjacent to the meter free from trees, shrubbery or other obstructions and shall allow the City access to the meter during normal working hours of any day of the week, except Saturdays and legal holidays.

8-2-31: BILLING PERIODS: All regular billing periods shall be on a monthly basis. Premises occupied for any portion of a month shall be charged the established rate for the entire month.

8-2-32: BILLING PROCEDURES: Metered accounts shall receive a billing separate from accounts billed on a flat monthly rate. Accounts receiving water service but no electric service shall receive separate billing. Non-metered accounts shall be charged a flat rate in accordance with the rate schedule found in Section 8-2-36 of this chapter.

8-2-33: DUE DATE: Bills rendered for water service are payable upon receipt and become past due ten (10) days from the date on which rendered. When the past due date
falls on a Saturday or a legal holiday or on a day when City offices are not open for business, the next regular business day is considered the past due date. Bills shall be deemed paid on the date payment is received by the City.

8-2-34: DELINQUENT ACCOUNTS: Whenever a customer account is not paid within forty (40) days from the past due date, the City Clerk shall assess a delinquency charge in the amount of $5 for each month the account is delinquent. The City may also terminate water service to the delinquent customer and in such event a disconnect fee in the amount of fifty dollars ($50.00) shall be added to the customer’s account balance. Interest at a rate of one percent (1%) per month shall accrue on the unpaid balance of all delinquent accounts, including any unpaid delinquency charges or disconnect fees. If service is terminated for delinquency, it shall not be restored until the account is brought current and the delinquency charge is paid in full, or unless a written agreement for installment payments is approved by the Council. The disconnect fee shall be payable whenever a service trip is made for the purpose of disconnecting water service even though service is not actually disconnected. All payments shall be applied first to any unpaid delinquency charges and disconnect fees, then to accrued interest and finally to the outstanding utility charges in the same order as the utility charges were incurred. (Ord. 89, 10-09-02); (Ord. 130, 1-15-08); (Ord. 139-13-08, 12-16-08); (Ord. 173-04-13, 6-27-13)

8-2-35: CITY CLERK TO FURNISH STATEMENTS: The City Clerk shall furnish to each property owner, landlord, tenant or agent, a monthly statement of the amount due for water service each month. The failure of any water user to receive a statement shall not excuse or release the customer from his obligation to pay for water service.

8-2-36: WATER RATES, FEES: Water Rates Established. The following monthly rates are hereby established for water service supplied by the City.

(A) Non-metered Rates (Inside City).

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family dwellings and mobile homes (excluding separate apartment units within such dwelling) per dwelling or unit</td>
<td>$30.00</td>
</tr>
<tr>
<td>Apartment unit - per unit</td>
<td>$30.00</td>
</tr>
<tr>
<td>Restaurant, cafes and fast-food establishments</td>
<td>$30.00</td>
</tr>
<tr>
<td>Churches</td>
<td>$160.00</td>
</tr>
<tr>
<td>Schools</td>
<td>$600.00</td>
</tr>
<tr>
<td>Day Care Centers</td>
<td>$40.00</td>
</tr>
<tr>
<td>Grocery Stores/Convenience Stores</td>
<td>$40.00</td>
</tr>
<tr>
<td>All other non-metered customers - per premises or building</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

All water service supplied at a monthly rate of $30.00 is limited to services with a service line no greater than one inch (1”) in diameter. Services with larger service lines shall be
charged such rates as may be approved by resolution or written agreement of the City Council.

(B) Seasonal Water Service Charge. In addition to the regular monthly charges for use of City water, the following annual rates shall be charged to customers using City water for lawn sprinkling, irrigation or livestock watering:

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each customer who maintains five (5) or more head of livestock upon his premises for more than thirty (30) days per calendar year</td>
<td>$ 60.00</td>
</tr>
<tr>
<td>Each nonresidential property with lawn or cultivated area measuring more than 1/20th of an acre — per acre or fraction thereof</td>
<td>$ 60.00</td>
</tr>
</tbody>
</table>

During the third quarter of each calendar year, the City Clerk shall furnish each property owner, landlord, tenant or agent a statement of the amount due for seasonal water service.

(C) Billings for water service shall be rendered on a calendar month basis commencing upon the earlier of the following:

1. Issuance of a building permit for any structure upon the premises.
2. Connection of any service line serving the premises to any main line or meter box owned by the City.
3. Change in the nature of the water service classification for any building or structure located on the premises.

In the event any of such events occur prior to the commencement of a calendar month or billing cycle, the customer shall be charged on a pro-rated basis for water service provided until commencement of the next billing cycle.

(Ord. 89, 10-09-02; Ord. 126, 12-18-07; Ord. 136-10-08, 6-17-08); (Ord. 202-02-16, 2/16/16); (Ord. 212-06-17, 6/27/17)

8-2-37: WATER RATES OUTSIDE CITY: Monthly rates charged for water furnished outside the City limits, whether metered or non-metered, shall be one hundred percent (100%) of the rates charged for water furnished inside the City limits, including minimums.

(Ord. 202-02-16, 2/16/16)

8-2-38: MULTIPLE SERVICE: Where an individual consumer is supplied with water through more than one service line, charges shall be computed separately for each service line, unless otherwise approved by the Council.

8-2-39: SERVICE OUTSIDE CITY: Water service to any consumer whose residence or place of business is located outside the corporate limits of the City shall not be provided unless a written service contract has been executed between the consumer and the City.
8-2-40:  FIRE SERVICE CONNECTION: All fire service connections between water mains and property lines shall be installed and maintained by the City, at the expense of the owner or occupant of the premises served, and shall be the property of the City. At the time of making application for service the applicant shall file with the City detailed plans showing all piping installed or to be installed for fire protection, all fire gates, automatic sprinklers and all other outlets, gates or appurtenances. Each fire service connection shall have a gate valve with an adequate valve box installed between the main and the property line of the premises served. No fire service connection larger than six inches (6") shall be installed without special permission from the Council. Upon receipt of such application, the City shall determine the cost for the installation of such service, taking into consideration the length and size of pipe, condition of street and sidewalk, all relative to the character of service, and such cost shall be paid by the applicant before such installation is made. No customer receiving metered water service shall use a fire service connection for domestic purposes or any purpose other than for fire protection. If the City finds a fire connection is being used for any purpose other than for fire protection upon the premises, the owner or occupant shall be notified and if such improper conditions are not corrected within ten (10) days, water service to the entire premises may be shut off until proper adjustments are made.

8-2-41:  FIRE HYDRANTS: All public fire hydrants shall be maintained by the Water Department. All paid or volunteer firefighters shall have free access to such hydrants. No other person shall draw or attempt to draw any water from a fire hydrant unless he has the written permission of the City. The City may assess an equitable charge for water drawn from a fire hydrant.

8-2-42:  UNLAWFUL CONTAMINATION OR CROSS-CONNECTIONS: It shall be unlawful for any person to introduce or permit the introduction of pollution or contamination of any kind into the City water supply system. It shall be unlawful for any person to install or maintain any cross-connection within the City. (Ord. 216-10-17; 10/17/17)

8-2-43:  BACK-FLOW PREVENTION ASSEMBLIES:

(A) It shall be unlawful to install, relocate or remove a back-flow prevention assembly without a permit, as provided in this section.

(B) Backflow prevention assemblies shall be installed by the property owner, tenant, occupant, lessee, or other user of the Water System where the nature and extent of the activities conducted or the materials used or stored on the premises would present a hazard to the public health or be deleterious to the quality of the City water supply should a cross-connection occur. Even though cross-connections may not exist at the time, backflow prevention assemblies shall be installed under circumstances including, but not limited to the following:

(1) Premises having an auxiliary water supply;
(2) Premises having internal cross-connections that are not correctable, or having intricate plumbing arrangements which make it impracticable to ascertain whether or not cross-connections exist;
(3) Premises where entry is restricted so that inspections for cross-connections cannot reasonably be made;
(4) Premises having a history of cross-connections being established or reestablished;
(5) Premises on which any substance is handled under pressure so as to permit the entry of any harmful substance into the Water System;
(6) Premises having pumps or devices which may affect the pressure within any line connected to the Water System.

C) All back-flow prevention assemblies shall be installed in accordance with the Uniform Plumbing Code, as is presently adopted by the City or as may be amended hereafter. All such assemblies shall also be installed in accordance with the Cross-Connection Control Manual, 7th Edition, published in April 2012 by the Pacific Northwest Section, American Water Works Association Cross-Connection Control Committee. The City Clerk shall at all times maintain a copy of such Cross-Connection Control Manual in the offices of the City Clerk. Such copy shall contain a certification issued by the City Clerk that such copy has been filed for use and examination by the public.

(D) All backflow prevention assemblies shall be installed by the property owner at his expense and shall be of a type commensurate with the degree of hazard which exists or which could exist. An air-gap separation or a reduced pressure principle backflow prevention assembly shall be installed where the public water supply may be contaminated with sewage, industrial waste of a toxic nature, or other contaminant which could cause a public health hazard. In all other cases where the contaminant may be objectionable but not hazardous to the public health, a double check valve assembly, an air-gap separation, or a reduced pressure principle backflow prevention assembly shall be installed. All backflow prevention assemblies and the installation thereof shall be approved by the City Plumbing Inspector or his agent or designated representative.

(E) All backflow prevention assemblies installed pursuant to this Chapter, except atmospheric vacuum breakers, shall be inspected and tested by a certified tester at the time of initial installation, relocation or substantial repair and annually thereafter, or more often if deemed necessary by the City. Whenever a backflow prevention assembly is found to be defective, it shall be repaired, overhauled, or replaced at the owner's expense. The City Plumbing Inspector or his agent shall retain adequate records of all inspections, tests, or repairs made pursuant to this Chapter.

(F) If a backflow prevention assembly is found to be necessary, the owner, tenant, occupant, or lessee of the property shall obtain an installation permit from the City, specifying the type and location of such assembly. It shall be unlawful to install, relocate or remove a backflow prevention assembly without a permit.

(Ord. 177-08-13; 8/20/13); (Ord. 216-10-17; 10/17/17)
8-2-44: INSPECTION OF NEW CONSTRUCTION: No building, improvement, or other structure shall be connected to the City water supply unless such structure has been inspected by the City Plumbing Inspector or his agent and found free of any cross-connections or other conditions for which a backflow prevention assembly is required by this Chapter. (Ord. 216-10-17; 10/17/17)

8-2-45: INSPECTION OF EXISTING BUILDINGS, STRUCTURES OR IMPROVEMENTS AND TERMINATION OF WATER SUPPLY: Inspections by City or its authorized agent may be made of any existing buildings, structures, or improvements of any nature receiving water from the City supply. The City Plumbing Inspector or his agent shall inspect any building, improvement, or structure of any nature receiving water from the City water supply if there is cause to believe that a cross-connection exists or that a backflow prevention assembly should be installed pursuant to this Chapter. Whenever a cross-connection or other source of contamination to the water supply is found, or it is determined that a backflow prevention assembly is necessary, the City shall immediately terminate delivery of water to such premises and the water supply shall not be resumed until the cross-connection or source of contamination is eliminated or an appropriate backflow prevention assembly has been installed in accordance with this Chapter. (Ord. 216-10-17; 10/17/17)

8-2-46   PERMIT REQUIRED FOR LAWN SPRINKLER SYSTEM: No person shall install, construct or connect any lawn sprinkler system, pump or device to the City water system, without first obtaining a permit therefore from the City Clerk. Such person shall complete an application for such installation, the name, address and telephone of the professional installer, if any, and a detailed description of the system, including the specific location and configuration of all back-flow prevention assemblies and devices installed in conjunction therewith. Prior to the issuance of such permit, the applicant shall pay a permit fee in the amount of Forty-Five Dollars ($45.00). (Ord. 89, 10-09-02); (Ord. 177-08-13; 8/20/13)

8-2-47: VOLUNTARY TERMINATION OF SERVICE. Whenever an existing customer desires to voluntarily terminate his or her existing customer service account, he or she shall notify the City Clerk of such desire and execute a written request for termination of service. In the event an existing customer fails to execute or deliver such notice request, the customer shall continue to be responsible for water service provided to the premises notwithstanding that the premises may have been sold, transferred or leased to another person or entity and that such new owner transferee or lessee may have used or received the benefit of water service billed to the previous owner. Upon receipt of such written request for termination, the City shall have no obligation to refund all or any portion of the payments made in advance by the customer for water service for the remainder of the billing cycle. (Ord. 212-06-17, 6/27/17)