

Section 3.03. Accessibility. The occupant of a building or premises where a water meter is located shall keep the water meter free from obstructions and accessible at all reasonable times for reading, inspecting, or repairing.

Section 3.04. Water Meter Checks. Water meter checks requested by the user shall be billed to the user at the rate given in the Fee Schedule, Section 5.01, if the water meter proves accurate.

Enforcement Provisions

Section 4.01. Water Turn Off. If a water user fails to comply with the rules and regulations described herein or otherwise established as a condition to the use of water, or fails to pay charges for water service in the time and manner provided, the water supply may be turned off and administrative charges applied to cover the City's costs to turn the water service off and then back on.

Section 4.02. Turn On Fee. When a new or existing service is requested to be turned on, it is necessary to pay the fee in the Finance Department. The charge for turn on during and after normal working hours is as indicated in the Fee Schedule, Section 5.01.

Section 4.03. Penalty for Delinquent Payment. All water bills are due and payable upon receipt of the bill. If a water bill is not paid by the fifteenth (15th) of the month following the month of billing, the account will be considered delinquent and the water supply may be turned off. Whenever the water has been turned off because of delinquency in payment, charges as stipulated in the Fee Schedule, Section 5.01, will be collected, together with the delinquent amount, before the water is turned on.

Section 4.04. City May Restrict Use of Water. If a shortage of water exists, the City may elect to impose restrictions on the use of water as determined by the City.

Section 4.05. Irrigation Adjustment.

- (1) All properties in the City of Astoria that have at least 500 square feet of space used for lawn and/or garden area are hereby given the privilege (option) of using City water for the purpose of irrigation during the period from the water meter reading date following June 1 to and including the water meter reading date following October 1 upon signing the proper application therefor, and filing same with the City Finance Department.
- (2) The charge for irrigation water used shall be the same as other water; however, there will be no sewer fee charged for the water used for irrigation.
- (3) Such water to be used for irrigation purposes shall be determined in the following manner: An average shall be taken of the amount of water used by the premises during the four bi-monthly billing periods preceding the irrigation period. Any water used during the irrigation period in excess of this average shall not be assessed a sewer fee.

temporary connection to and operation of fire hydrants for construction sites and other approved uses.

- (2) Any person obtaining a permit for use of a fire hydrant, shall pay a fee for such permit in addition to metered usage as listed in the Fee Schedule, Section 5.01.
- (3) "Fire service lines" may be installed at the expense of user-owner. No use or connection other than fire protection is permitted on "fire service lines". If any connection or use other than fire protection is discovered, the entire service will be disconnected and the appropriate insurance company notified. No further service shall be permitted until necessary correction measures are made and approved by the City.

Section 2.13. Cross-Connections Prohibited. Cross-connections shall be prohibited, and protection provided against such cross-connection, as specified in Oregon Administrative Rules, Chapter 333.

Approved backflow prevention devices for protecting community water systems shall be installed on the service connection to premises where there is an auxiliary water supply which is or can be connected to the water piping.

No person shall connect, unless an approved backflow prevention device is used, any pump or other apparatus to any water main or service connection connected to the City of Astoria water system which is capable of introducing any foreign liquid or material into said system. The existence of any cross-connection, whether open or not, shall be found cause for the water to be turned off and/or completely disconnected from the City service line.

The City, in order to achieve compliance with any cross-connection control requirements set forth by the "U.S. Environmental Protection Agency" as authorized by the "State Drinking Water Act" PL 93-523 and Oregon Administrative Rules, Chapter 333, "Public Water Systems", requires that all approved backflow prevention devices installed in existing services be tested annually, in an approved manner by an Oregon Certified Tester to assure proper operation.

The City requires that all backflow assemblies installed on fire protection services be tested annually as provided for in Oregon Administrative Rules, Chapter 333.

Water Meters

Section 3.01. Requirements. No person may use City water, except through an approved water meter. If a water meter fails to register accurately, as determined by city staff, charges for water shall be based upon the average quantity of water used daily as shown by the water meter when in order.

Section 3.02. Changes. Unless authorized by the City, no person may cut, change, remove, disconnect, connect, repair, interfere, meddle or tamper in any manner with any installed water meter.

Resolution No. 91- 26

A RESOLUTION ESTABLISHING RULES, REGULATIONS, RATE CHARGES AND CONDITIONS FOR WATER SERVICE.

WHEREAS, the City of Astoria provides a valuable public service by providing a waterworks and water distribution system inside and outside of the city limits. These water facilities constitute a public utility owned and operated by the City of Astoria. The utility exists for the benefit of persons within the City who want to have the system available for supplying his or her needs for domestic, commercial, industrial, fire protection, public or other water service.

WHEREAS, users of the water system ought to be charged rates that reflect the operation of the water system as a public utility in the City. Persons who do not use the water utility should not pay utility rates. However, some use of the water system occurs when the water service to improved property is sized to provide water for fire suppression on the property, even though no water is being consumed by such service.

WHEREAS, the rate structure of the water utility should be based upon a fee for service consistent with the above findings. Although this rate structure is intended to constitute a service charge, even if it is viewed as a charge against property or against a property owner as a direct consequence of ownership of that property, the utility's rate structure should, nonetheless, endeavor to allow the owner the ability to control the amount of the charge. Similarly, the utility's rate structure should reflect the full actual direct and indirect costs of providing the service.

WHEREAS, under section 3.025 and 3.100 of the Astoria Code, the city manager is authorized to enforce water rules and regulations and the city council hereby approves these rules and regulations and sets rates.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY OF ASTORIA, THAT THE FOLLOWING RULES AND REGULATIONS SHALL BECOME EFFECTIVE UPON PASSAGE.

WATER REGULATIONS

Definitions

Access/Demand Charge: Means the charge made to each user to cover direct and indirect costs attributable to sizing and maintenance of the water system so that water is available for a customer's requirements upon demand.

After Hours: Means any time other than that covered by "normal working hours" in the definitions section.

Applicant: Means any person, corporation, association or agency applying for water service.

Auxiliary Water Supply: Means any supply of water used to augment the supply obtained from the City water system which serves the premises in question.

Backflow Prevention Device: Means that all "backflow prevention devices" required under this section shall be of a type and model approved by the Oregon Health Division. The Division maintains a current list of backflow prevention devices approved for use in Oregon.

City: Means the City of Astoria, its staff and/or designee (authorized agent).

City Service Line: Means any pipe and fittings which connect a water main to a water meter or "customer service line".

Cross-Connection: Means any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other service which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow (bypass arrangements, jumper connections, removable sections, swivel or change-over devices, and other temporary or permanent devices through which, or because of which, backflow could occur are considered to be cross-connections).

Customer: Means a person, corporation, association or agency who has requested and is receiving water service.

Customer Service Line: Means any pipe, valves, and fittings leading from the water meter or City service line into the premises served or point of ultimate use.

Equivalent Dwelling Unit (EDU): Means that each user is related to an average single family detached dwelling by both size of water service required and the average consumption for such a unit. Each EDU is taken to be a unit which can be served by a 5/8" service or consumes approximately 320 gallons per day. For the purpose of this resolution, all EDUs will be determined by meter or pipe size.

Fire Service: Means any service installed for the specific purpose of fire protection (hose connection or sprinklers).

SECTION 2.14. Use of Private Water and City Water.

Approved backflow prevention devices for protecting community water systems shall be installed on the service connection to premises where there is an auxiliary water supply which is or can be connected to the water piping.

SECTION 2.15. Fire Hydrants - Fire Service Lines.

- (1) No person may cut, change, remove, disconnect, connect, operate, repair, interfere or tamper in any manner with a fire hydrant owned by the City unless a permit has been issued. This section does not apply to the Public Works or Fire Departments of the City.
- (2) Any person obtaining a permit for use of a fire hydrant, shall pay a fee for such permit in addition to metered usage as listed in the Fee Schedule, Section 5.01.
- (3) "Fire service lines" may be installed at the expense of user-owner. No use or connection other than fire protection is permitted on "fire service lines". If any connection or use other than fire protection is discovered, the entire service will be disconnected and the appropriate insurance company notified. No further service shall be permitted until necessary correction measures are made and approved by the City.

SECTION 2.16. Cross-Connections Prohibited.

Cross-connections shall be prohibited, and protection provided against such cross-connection, as specified in Oregon Administrative Rules, Chapter 333.

No person shall connect, unless an approved backflow prevention device is used, any pump or other apparatus to any water main or service connection connected to the City of Astoria water system which is capable of introducing any foreign liquid or material into said system. The existence of any cross-connection, whether open or not, shall be found cause for the water to be turned off and/or completely disconnected from the City service line.

The City may, in order to achieve compliance with any cross-connection control requirements set forth by the "U.S. Environmental Protection Agency" as authorized by the "State Drinking Water Act" PL 93-523 and Oregon Administrative Rules, Chapter 333, "Public Water Systems", require that all approved backflow prevention devices installed in existing services be tested annually, in an approved manner by a certified inspector, to assure proper operation.

The City may require that all backflow assemblies installed on fire protection services be tested annually as provided for in Oregon Administrative Rules, Chapter 333.

Water Meters

SECTION 3.01. Requirements.

No person may use City water, except through an approved water meter. When a water meter fails to register accurately, the charge for water shall be based upon the average quantity of water used daily as shown by the water meter when in order.

SECTION 3.02. Changes.

Unless authorized by the City, no person may cut, change, remove, disconnect, connect, repair, interfere, meddle or tamper in any manner with any installed water meter.

SECTION 3.03. Accessibility.

The occupant of a building or premises where a water meter is located shall keep the water meter free from obstructions and accessible at all times for reading, inspecting, or repairing.

SECTION 3.04. Water Meter Checks.

Water meter checks requested by the user shall be billed to the user at the rate given in the Fee Schedule, Section 5.01, if the water meter proves accurate.

Enforcement Provisions

SECTION 4.01. Water Turn Off.

If a water user fails to comply with the rules and regulations described herein or otherwise established as a condition to the use of water, or fails to pay charges for water service in the time and manner provided, the water supply may be turned off.

SECTION 4.02. Charges for Water Service a Lien.

- (1) For failure or refusal to pay charges for water service, the City declares such unpaid charges a lien upon the premises and may foreclose the lien by any method authorized by law to enforce collection of delinquent liens. This section applies to all charges incurred on or after July 5, 1983. The lien docket shall be the utility billing register.
- (2) The provisions of subsection (1) of this section for the collection and enforcement of charges for water service are not exclusive remedies, but are in addition to all other methods of enforcing payment and collection thereof.

Turn on/off after hours \$25.00
Turn off (because of delinquent bill) . . \$25.00 normal working hours
Meter check (owner request) \$25.00 (see Section 3.04)

(7) Bills and Payment.

A. Rendering of Bills.

1. Meter Readings. Meters will be read at regular intervals for the preparation of bimonthly bills and as required for the preparation of opening, closing and special bills.
2. Bills for water service shall be rendered bimonthly or upon closing unless otherwise provided in the rate schedule.

B. Payment of Bills.

1. All bills are due any payable on presentation. Payment may be made at the utility's office or to an authorized deposit location.
2. Closing bills will be collected at the time of discontinuance of service.
3. When bills are delinquent, the utility will follow the procedure as outlined in 4.04.

C. Billings of Separate Meters Not Combined.

1. Each meter on a customer's premises will be considered separately, and the readings of two or more meters will not be combined unless the utility's operating convenience requires the use of more than one meter.

SECTION 6.01. Penalties.

Any violation of these regulations may subject violator to water turn off, \$50.00 fine, or both, in addition to any other legal remedies available to the City.

SECTION 6.02. Repeal.

Resolution No. 88-16, adopted by the City Council on April 18, 1988 is hereby repealed and superseded by this resolution.

SECTION 6.03. Effective Date.

The provisions of this resolution shall take effect as of July 1, 1991.

ADOPTED BY THE CITY COUNCIL THIS 17TH DAY OF JUNE, 1991.

APPROVED BY THE MAYOR THIS 17TH DAY OF JUNE, 1991.

Walter Van Dusen

Mayor

ATTEST:

J. M. ...

Finance Director

ROLL CALL ON ADOPTION

YEA

NAY

ABSENT

Commissioner Ellsberg

X

Morden

X

Thompson

X

Mathews

X

Mayor Van Dusen

X