

41-01418

City of Imbler

Ordinance No. 88-3

Series 1988

AN ORDINANCE REGULATING THE WATER SYSTEM AND PROVIDING FOR CHARGES IN CONNECTION THEREWITH.

The City of Imbler does ordain as follows:

Section One: Applications for Water.

(1) To protect the health, safety, and general welfare of the residents of City, all land owners within the City limits, including those with privately owned wells, shall connect to the City water system and use only City supplied water for human consumption.

(2) Applications for the use of City water shall be made on printed forms furnished by the City. If the applicant is not the owner of the property, then notice that application for water use has been made by applicant and that a lien shall attach to the property for non-payment of water shall be mailed to the owner by the City to the address of owner furnished by applicant, within three (3) business days after application has been made.

(3) In all cases, the applicant may be held responsible for the payment of all charges and rentals for the use of the same. Applicants for building permits shall be encouraged to make water service applications for new construction at the time that a building permit application is made.

Section Two: Compliance with State Plumbing Code.

(1) No connection shall be made nor shall water service be

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maintained to any property in which the plumbing does not comply with the provisions of the State Plumbing Code and applicable State and Federal regulations.

Section Three: Separate Source of Water Supply.

(1) No connection shall be made nor shall water service be maintained to any property in which the plumbing is connected to another source of water supply, whether a valve or valves intervene or not. All such connections shall be discontinued before hook-up to the City system.

(2) No person shall connect a separate source of water supply to a plumbing system theretofore connected to the City's water system, nor shall any person by application therefore, cause the city water system to be connected to a plumbing system supplied also by another water source, whether such a separate water source can be separated by a valve or not. Whenever cross-connection to another water supply into the City system is found or whenever any other condition is found which presents the possibility of contamination or pollution, the water supplied to such premises and/or other premises from which cross-connection is made shall be discontinued immediately until the cross-connection is eliminated or the condition remedied. Control or elimination of cross-connection shall be in accordance with any manuals of standard practice pertaining to cross-connection control approved by the City of Imbler and any requirements set forth by State or Federal standards.

(3) For the purpose of this section, such separate water source shall be considered connected to the City water system

unless there is a complete break in the piping between such separate water source and the City water system. The City of Imbler shall require a back flow prevention device of pattern, design, and size which proves reasonably adequate to prevent contamination. If the City determines that a complete physical separation from the City water system is not practical or necessary, or that adequate protection for cross-connection cannot be readily made, or that such back flow prevention device is necessary because of existing or possible back flow resulting from special conditions, use, or equipment. The City shall also regulate the location, installation, and testing of such device. These inspections and tests shall, at the expense of the owner of the property, be performed only by a person currently certified by the State of Oregon as a back flow prevention device tester. Charges for such inspections and test, when performed by the City, shall be added to the charges for water against the premises necessitating the inspection or test.

(4) Any corrective measure, disconnection, or change in private property shall be at the sole expense of the person in control of such property. The cost of any change required in the City system outside the property or between the meter and the supply lines or distribution system and any charges for cut-off or disconnection shall be added to the charges for water against the premises necessitating the expenditures.

Section Four: Installation of Service and Meter.

(1) The person applying for water shall furnish the City with the correct location and grade in connection with the

installation of such service and meter prior to installation thereof. Costs of installation as established by resolution shall be borne by the owner.

(2) In the event meter or service shall be changed for the convenience of the property owner after initial installation, the costs shall be borne by the property owner as established by resolution.

Section Five: Use by Other Persons.

(1) No person in control of the property supplied with water from City mains as herein provided shall permit another person or persons to use such water, except such as is to be consumed on the premises from which is procured.

Section Six: The Arrangement of Service Pipes.

(1) All service pipes must be so arranged that the supply to each separate house or premises may be controlled by a separate stop-cock placed near the line of the street curb or other approved location, and one person must pay for all water used through said service pipe.

(2) For a building with a basement, a full way valve of approved pattern by means of which the pipes in the building may be drained, must in all cases be placed just inside the basement wall in a convenient location. If the building is not so provided with a basement, such full way valve must be placed near the outside wall thereof or in another location approved by the City and protected by a suitable box. If water is delivered to the service line before supplying a building or if the service does not supply a building, such full way valve shall be installed in a

suitable box within the owners property between the meter box and the first delivery point and so located that all piping extending therefrom may be property drained.

(3) All pipes and the meter or shut-off to the premises must be installed in accordance with good engineering practices and maintained in good order by the user. The user will be held responsible for any losses or damages occurring from the meter or shut-off to and including the premises, resulting from leaks, freezing or otherwise.

Section Seven: Water Shut Off.

(1) The water may at any time be shut off from the mains, without notice, for any necessary purpose and the City will not be responsible or liable for any consequent damages.

(2) In all cases where practical, the City will give consumers at least twelve (12) hours notice before the water is shut off from the main.

(3) When a fire alarm is turned in, all persons should immediately discontinue using water for sprinkling, if so requested by the City.

Section Eight: Defective Fixtures.

(1) Water will not be furnished where there are defective or leaking faucets, closets, or other fixtures, or where there are closets or urinals without self-closing valves or tanks without self activating float valves and full way valves at each hydrant and house connection; and when such may be discovered, the water shall be shut off from such premises and not again turned on until the owner or occupant has made the necessary repairs.

Section Nine: Size of Taps and Meters.

(1) The size of all taps and meters shall be determined by the City based upon the amount of water needed.

Section Ten: Installation of Taps and Meters.

(1) The charges for installation of taps and meters shall be as set forth in a resolution duly adopted by the City Council.

(2) A water tap shall consist of the tapping process at the water main and the installation of service pipe and other necessary apparatus to the property line nearest to the water main, but in no instance to exceed a distance of fifty (50) feet. The cost of installation and maintaining service greater than fifty (50) feet shall be borne by the property owner. The installation and maintenance of water service lines beyond the water meter shall be the responsibility of the property owner or tenant requesting and/or using the water.

(3) Whenever a change is made in an existing water tap or meter, either of size or location, there shall be no credit for the previous installation charge, except a credit may be allowed for the existing meter if the service was installed within the previous two-year period.

Section Eleven: Irrevocable Consent to Annex.

(1) Applications for water connections outside corporate limits of the City must be accompanied by an irrevocable consent to annex, except when (a) an application is made for water connection outside the corporate limits of the City and the applicant applies in writing to the City commission for a waiver of this requirement and application is granted.

Section Twelve: City Mains.

(1) Only the City, or persons with written authorization and permission from the City, shall be allowed to make connections with the City mains or to make alterations in conduit, pipe, or other fixtures connected therewith, or to connect pipes when they have been disconnected.

(2) Only the City or licensed plumbers may turn water on or off at the meter shut-off on any premises to test their work. Licensed plumbers so turning on or off the water shall see that the meter shut-off is in the same condition as when first found.

Section Thirteen: Access to Property.

(1) Except as provided in subsection (2) of this section, City employees shall have access at all reasonable times and hours to all parts of a building or premises in which water is being delivered from the water main for the purpose of inspecting the condition of the pipes and fixtures and the manner in which the water is used.

(2) City employees shall only have access to the interior of occupied dwellings or other living quarters if permission is granted the City employees by the person in charge of the property, or if an emergency situation exists necessitating the immediate entry of a City employee.

Section Fourteen: Improperly Operating Meters.

(1) When a meter or indicator gets out of order or fails to register correctly, the charge shall be according to the average quantity of water used daily as shown by the meter when in order, or if there be no such average consumption, then the minimum rate

of the City shall apply.

Section Fifteen: Ownership and Repair of Meters.

(1) All water taps, including meters on the City water system, are the property of the City and any repairs to said meters shall be made by the City.

(2) If a meter is damaged the by the carelessness or negligence of the owner or occupant of the premises, the City shall repair the meter and the cost of such repair shall be charged against the property.

Section Sixteen: Access to City Water Fixtures.

(1) No person or persons shall place upon or cover up any hydrant, water gate, stop-cock or meter box with any building material or other substance so as to prevent free access to the same at all times.

Section Seventeen: Electric Ground Wires.

(1) Electric ground wires attached to water pipes shall be connected at one place only in each building and in such a manner as to be easily accessible and disconnected.

(2) No water pipe shall be thawed by a procedure involving any use of electric current, unless such ground wires are first detached.

Section Eighteen: Liability for Water.

(1) All lots, together with improvements thereon, to which water is supplied by the City, are hereby made liable to the City for the rent of the water so supplied and the rent for the water shall be a lien on said property, which may be enforced and foreclosed as provided for by enforcement of foreclosures of

other liens on property by the ordinances of the City and statutes of the State of Oregon.

Section Nineteen: Water Service Rates.

(1) Water service rates within the City shall be as set forth in resolution duly adopted by the City Council.

(2) The City shall have the authority to contract for disposition of surplus at such rates as may be deemed proper.

Section Twenty: Water Service Outside City Limits.

(1) Where the property served or to be served is located outside the limits of the City, installation and service charges under this ordinance shall be as set forth in resolution duly adopted by the City Council.

(2) Water service rates outside the limits of the City shall be as set forth in a resolution duly adopted by the City Council.

(3) Where the property served or to be served is owned or occupied by an agency of Union County, Oregon, the State of Oregon, or the United States Federal Government, the water rates, penalties, and all such other financial charges or impositions under this ordinance shall be the same whether such property is located within or without the limits of the City of Imbler.

(5) Rates for water service for fire protection purposes and rates for stand-by hydrants shall be as set forth in a resolution duly adopted by the City Council.

Section Twenty-one: Meter Reading and Billing.

(1) Meters will be regularly read, weather permitting, and customer shall be billed for the quantity of water consumed

between readings; except however, customers receiving services in duplexes and single-family dwellings will be billed a minimum monthly rate for the months of November, December, January, and February of each year.

(2) Statements for water charges shall be rendered regularly and shall become delinquent thirty (30) days from the billing date. All statements shall show the billing date.

Section Twenty-two: Turning Off or On for City Water Service.

(1) Each customer about to vacate any premises supplied with water must give written notice to the City and pay all water rents and arrears and the service fee for turning off the water whether such person has been using the water or not.

(2) The City may turn off water used by any person in arrears on water rent, whether the water was furnished at the present residence or place of business of the patron or elsewhere. The City may also turn off the water for the violation of any other provision of this ordinance. If any person other than employee of the City turns the water back on, the service will be shut off, secured, and the penalty of ONE HUNDRED DOLLARS (\$100.00) or normal fee charged against the property.

(3) Whenever water has been turned off because of delinquency of payment of the water bill or violation of any other provision of this ordinance, any person desiring such water service to be re-established shall pay the service fee as set forth by resolution duly adopted by the City Council, as well as

all penalties assessed against the property and all arrears such a person may owe for water rent, whether furnished at the place for which it is applied for or elsewhere.

(5) "Turn off" and/or "turn on" charges for water service shall be set by resolution duly adopted by the City Council.

Section Twenty-three: Disturbance of City Property.

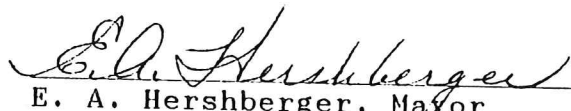
(1) No person or persons, other than City employees or persons with written permission from the City, shall disturb any of the property, tools, machinery, or other equipment belonging to or pertaining to the City department, or use or remove any City fire hydrant, or turn water through the same. No private booster pump shall be installed in any City main or any portion of City line connected therewith up to the meter.

Section Twenty-four: Emergency.

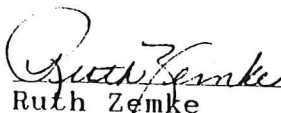
(1) Inasmuch as it is essential for the preservation of the public health, peace and safety of the City of Imbler that this Ordinance be effective immediately upon enactment, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the City Council.

PASSED AND ADOPTED this 17th day of SEPTEMBER, 1988,
by FOUR (4) Councilmembers voting therefore.

APPROVED this 12th day of SEPTEMBER, 1988.


E. A. Hershberger, Mayor

ATTEST:


Ruth Zemke
City Recorder

