

- D. **Inspection and Testing:** The Superintendent may inspect and test water meters at any time. If a water user requests inspection and testing of a water meter, a testing fee shall be paid in advance. If the water meter is found to be inaccurate according to the standards of the American Waterworks Association, a water meter will be substituted, the water bill for the preceding billing period shall be adjusted as set out in subsection C of this Section and the water meter accuracy test fee refunded.
- E. **Accessibility to Water Meters:** The water user shall keep the water meter and appurtenant area free from obstruction or debris in, on or around the same and accessible at all times, for the purpose of turning-on and turning-off water, and reading, inspecting or repairing the water meter.
- F. **Keeping Water Meters from Freezing:** The water user shall take all necessary precautions to keep the water meter from freezing. If the water user fails to keep the water meter from freezing, the water user shall be charged with the cost of repairing any damage which may result from such failure.
- G. **Keeping Water Meter Areas Safe:** The water user shall keep the water meter box and appurtenant area in a safe condition and shall be responsible for any repair to the water meter and appurtenances or property damage or personal injury to third persons. In addition, the water user shall hold the City harmless and indemnify it against any claims by third persons. The City hereby creates a right of action in third persons injured as a result of a water user's failure to properly maintain the water meter box and/or appurtenant area.
- H. **Use of Water Meters:** All water furnished by the City to any property with a water meter must pass through the water meter. (Ord. 517, 10-21-85)

7-4A-8: CROSS-CONNECTION CONTROL REQUIREMENT:

- A. **Identifying Cross-Connections:** The cross-connection control inspector shall identify and evaluate the premises where potential cross-connections exist.
- B. **Discontinue Service:** Where the Superintendent has reasonable cause to believe that an existing or potential cross-connection is located on the water user's premises, the Superintendent shall deny or discontinue service to those premises until an appropriate

- backflow prevention device is installed or until the cause of the hazard is eliminated.
- C. **Water User to Notify Superintendent:** Whenever a water user obtain water from the water works system treats the water in any way or adds any chemical or substance to the water, the water user shall immediately notify the Superintendent.
- D. **Installation of Backflow Prevention Devices:**
1. Backflow prevention devices for protecting the water works system shall be installed on the service connection to premises as required by State law and regulations.
 2. All backflow devices shall be installed in accordance with the Oregon Health Division standards.
- E. **Type of Backflow Prevention Device:** The type of backflow prevention device required under subsection D of this Section, shall be commensurate with the degree of hazard which exists.
- F. All backflow prevention devices required under this Section shall be of a type and model approved by the Superintendent or the Oregon Health Division. The City shall maintain a list of backflow prevention devices approved for use in Oregon.
- G. **Testing and Inspection of Backflow Prevention Devices:**
1. The water user, where one or more reduced pressure device, doublecheck valve assembly, or pressure vacuum breaker have been installed, shall have the device tested at least once per year. Backflow prevention devices found not to be functioning properly shall be promptly repaired by the water user or the City may deny or discontinue service as provided in subsection B of this Section. Devices shall be tested immediately after installation and after they are moved. Reports on the tests shall be prepared by the Superintendent and copies of the report shall be provided to the water user.
 2. Backflow prevention devices installed before the effective date of this Article which were approved at the time they were installed but are not on the current list of approved devices maintained by the Oregon Health Division, shall be permitted to remain in service provided they are properly maintained, are commensurate with the degree of hazard, are tested at least annually, and perform

satisfactorily. When devices of this type are moved, or require more than minimum maintenance, they shall be replaced by devices which are on the Oregon Health Division list of approved devices. (Ord. 517, 10-21-85; 1993 Code)

7-4A-9: WATER RATES AND CHARGES:

- A. Set by Resolution; Services Listed: Water rates, charges, deposits and water services shall be set by resolution of the City Council and be reviewed at least once annually¹.
- B. Adjustment of Rates: Water rates shall not be decreased during any period that bonds issued pursuant to Charter amendments enacted by the people of the City at a special election dated February 24, 1976, and issued December 1, 1978, to Farmers Home Administration are outstanding.
- C. Existing Contracts: Water rates adopted by resolution of the City Council shall not modify any existing contract the City has with any person for water rates.
- D. Damages to City Property: Wherever this Article provides for liability for any damage or repairs to City property by any water user, the amount of damages or repairs may be added to the water user's bill and collected in the same manner as water rates and charges. (Ord. 517, 10-21-85; 1993 Code)

7-4A-10: COLLECTION OF WATER RATES AND CHARGES:

- A. Application Fee; Water and Sewer Deposit: Any person for whom an account is opened shall pay a nonrefundable application processing fee to cover administrative costs of opening an account. Each application for use of sewer service, water, or both, shall be accompanied by a refundable deposit which will be held by the City and applied against any unpaid service charges for garbage, sewer or water charges due from the applicant. The application fee and deposits shall be collected from all applicants within three (3) days after requesting service from the City. The three (3) day period for payment of the application fee and deposits may be extended at the request of the applicant because of extenuating circumstances,

1. See Section 1-12-4 of this Code.

which will be reviewed by the City Administrator. When an account is closed, the amount of any sewer and water deposits plus interest shall be returned to the applicant, less any amounts due for garbage, sewer or water service. If an applicant has paid the monthly statements for garbage, sewer and water service in a timely manner for thirty six (36) consecutive months without delinquency charge, the deposit plus interest will be credited against the applicant's current bill. (Ord. 559, 8-8-89)

B. Billing Procedures:

1. **Water and Sewer Bills Combined:** All bills for water shall be prepared each month at the same time bills for sewage services are prepared and shall be collected as a combined bill for water and sewage service. (Ord. 515, 10-21-85)

2. **Billing to the Premises:** All water service charges shall be mailed to the premises where water service is furnished unless the water user requests, in writing, that the bill be submitted to another address. (Ord. 582, 7-1-91)

3. **Due Date:**

a. All water bills for each month shall be due and payable on the twentieth day of each month.

b. If the last day for making payment falls due on a day when City Hall is closed before the end of or for all of the normal work day or on any legal holiday, Saturday or Sunday, the payment may be made until the close of business hours on the next day that City Hall is open for business.

4. **Place of Payment:** All water bills shall be paid at City Hall.

C. Appeals: Any person wishing to challenge a water billing may appeal to the City Administrator before the water service is suspended. Service will not be suspended during the pendency of an appeal if the water user pays the amount of any water billing not in dispute and the delinquent fee, if the amount not in dispute is twenty (20) days past due.

D. Delinquencies:

1. **Fee:** All bills unpaid after the twentieth of each month shall be considered delinquent and delinquency fee shall be assessed.