

## **CHAPTER 8-4**

### **WATER WORKS GENERAL PROVISIONS**

#### **8-4-1 METER INSTALLATION**

Water meters shall be installed in all new and existing buildings using municipal water service or as otherwise authorized by the City Council. The Water Superintendent shall install, replace, and repair household water meters, defined as the standard 5/8 inch pipe size water meter or as otherwise approved by the City Council.

#### **8-4-2 OWNER OCCUPANT DUTIES AND RESPONSIBILITIES**

Persons served by City water shall keep all piping, fixtures, top valves, heater, and other apparatus for the use of water (including meters) in good repair and protected from freezing. The property owner shall be responsible for and pay the charges for replacement of any corroded or damaged piping, fixtures, stop valves, heater, or other apparatus for the use of water and for any charges for the repair or replacement of water meter, occasioned by the negligence of the property owner or user, or the freezing, overheating, or other external damage to any water meters. The property owner and/or water user shall place and maintain a brass stop inside the basement of any building where water is to be used at the lowest point practicable on the service pipe entering the building and as close as practicable to the wall through which the pipe enters, and easily accessible so that the water may be turned on or off by the user or occupant. Service connection repairs to the curb stop shall be the responsibility of the property owner.

#### **8-4-3 SEPARATE CUT-OFF: EACH BUILDING**

Every separate building must have its own separate cut-off placed at the outside edge of the sidewalk or in the alley; provided, that when two or more buildings are already supplied through one service connection and one cut-off; such service may be continued until separate services and cut-offs are ordered, but if the water rates for any of said buildings shall become delinquent and so remain for a period of fifteen days, the water supply may be cut off from all of said buildings and shall not be again turned on until such delinquent rates and reconnection fee of \$20.00 are paid. The Water Department may order separate service connections for any of such buildings so already supplied through one service whenever the city main has been laid in the street adjacent to said building.

#### **8-4-4 ONE METER PER SERVICE CONNECTION**

The supply of water through each separate service must be recorded by one meter only, for which only one bill will be rendered by the city. If additional or auxiliary meters are desired for recording the subdivision of such supply, they must be furnished and set by the owner or consumer at their own expense and they must assume all responsibility for maintaining the same.

#### 8-4-5 WHEN METER IS DEFECTIVE

In case any meter fails to register, from any cause, the amount charged for water during such period shall be estimated by the Water Superintendent and City Finance Officer based upon prior usage of water for a like period of time, and the Superintendent and City Finance Officer shall attach a notice to the user's next billing stating that the meter was found to be defective. In the event the water user becomes aware that the water meter is defective they shall immediately contact the City Finance Office.

#### 8-4-6 TESTING OF METERS

Upon the written request of any owner or consumer, the Water Department will test the meter supplying the premises. The owner or consumer may, if desired, be present when the test is made. The result of the test will in all cases be reported to the owner or consumer requesting the test. If the test of the meters shows that it fails to register correctly within two percent on a flow equal to one eighth of the diameter of the service, the water department shall make a charge or allow a credit in proportion to the error for all water registered in excess of the minimum amount allowed by the established rates.

#### 8-4-7 INSPECTION OF METERS

Any person authorized by the City Council to read water meters or make inspections shall be allowed free access at all reasonable hours to any building or premises where water is used. If such persons are not allowed such access, the City, in its discretion may estimate the water use, shut off the water, make additional charges, or take other action not inconsistent with the law.

#### 8-4-8 CITY HELD HARMLESS FOR WATER SUPPLY INTERRUPTIONS

The City will not be liable for any damage to the property of any customer of any water service furnished by the City due to failure of water supply, interruption of service or from any cause outside the direct control of the City.

#### 8-4-9 TAMPERING WITH WATER METERS

Every person who shall break or deface the seal of any water meter, or who shall obstruct, alter, injure or prevent the action of any water meter, or who shall make any connection by means of a pipe or otherwise, with any main or pipe used for the delivery of water to a consumer in such manner as to take water from said main or pipe without its passing through the meter, or who shall use any water so obtained, or who shall with the intent to defraud, make any connection or re-connection with such main or pipe, or turn on or off, or in any manner interfere with any valve, stop cock or other appliance connected therewith shall upon conviction thereof be fined not more than \$200.00 or be imprisoned not more than thirty days, or be subject to both fine and imprisonment, in the discretion of the Court.

#### 8-4-10 TAPPING OF WATER MAINS

An initial hookup fee, as regularly determined and set by resolution of the City Council, shall be paid by all applicants for each new service connection. The applicant shall also pay all costs, including piping, fixtures, digging, and appurtenances necessary to produce the connections as well as the costs of a qualified plumber making the installation. Payments to the City for water hookups shall be made prior to turning on such service, and in addition, the property owner shall be responsible for any street or curb and gutter repair incurred by connecting the property owner to City water service. Persons shall give notice of desire to tap any main at least twenty-four (24) hours before the tap is to be made except in an emergency. All new connections for water service shall be inspected and approved by the Water Superintendent.

Resolution #589

#### 8-4-11 WATER LINE REQUIREMENTS

All water mains shall be at least six (6) inch PVC (or meet current South Dakota State Plumbing Codes), with gasketed joints, service lines shall be a minimum of one inch PVC, polly or copper to the property line and PVC to the meter, and hydrants shall be at least six (6) inch, with two or three way openings unless otherwise approved by the City Council.

#### 8-4-12 HOW WATER LINES ARE LAID

All service lines shall be at least six (6) feet below the established grade of the street, avenue, or alley in which they shall be laid, and in all places at least six (6) feet below the surface of the ground, unless otherwise authorized by the City Council. Contractor or plumber shall install a back-flow prevention device on all new water service connections. All plumbing fixtures, piping, or apparatus shall be installed with such material as to withstand safely the perils surrounding their conditions of operation and use, and shall meet both inside and outside South Dakota Plumbing Codes.

When service pipes are found disconnected at the corporation stop at any main, they may be reconnected only by the City or on its order. No water main or service may be laid in the same trench with gas mains or other foreign conduits. Special permission may be granted, however, when deemed advisable by the City Council, for laying of water lines in trenches with sewer lines, and then only with the placement of water lines well above sewer lines to prevent subsequent possible contamination of water mains.

#### 8-4-13 PENALTIES

Any person who shall lay any water service pipe or introduce into or about any building or on any ground, any water pipes, or do any plumbing work in any building or on any grounds for the purpose of connecting such pipes or plumbing with the pipes of the City waterworks, or preparing them for such connection with a view of leaving such

premises supplied with water by such waterworks, or who shall make any addition to or alterations of any water pipes, water closet, stop cock or other fixtures or apparatus for the supply of any premises with water without being duly licensed to perform such work at the city, and without first having obtained a permit in writing for doing such work from the Water Department of the City, shall be in violation of this code.

1. Any person found to be in violation of this code and amendments thereto shall be served by the City with written notice, stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
2. Any person who shall continue any violation beyond the time limit shall be guilty of a misdemeanor and shall become liable to the City for any expense, loss or damage occasioned the municipality by reason of such violation.

#### 8-4-14 SERVICE APPLICATION AND DEPOSIT

1. No person owing the City for past water bills will be furnished with water service until all past due water bills owing the City are paid in full.
2. Any person desiring water service from the City shall fill out an application at the City Finance Office. The City Finance Office shall provide notice of same application to the City Water Superintendent; provided that the person applying does not owe the City for any past water bills. It shall be unlawful for any person to take or use water from the City water distribution system without having made application and having paid the required deposit to the City. No person shall turn on or shut off water at any valve, curb cock, corporation cock or other place regulating the supply of water to any premises or part of the waterworks system except duly authorized employees of the Water Department; provided, however, that any licensed plumber may turn on or shut off water for the purpose of testing his work but shall leave the valve or curb cock in the same position in which he found it. A fifteen dollar (\$15.00) connection fee will be charged. The connection fee will also be charged to present consumers re-establishing water service at a new location in the City of Howard.
3. Anyone requesting water service from the City of Howard, who is renting, is required to make a deposit for the purpose of guaranteeing payment of the charges for services use. Utility accounts and utility deposits must be in the same name. Utility deposits will only be transferred to another person by the signature of the person in whose name the deposit is being held. After the utility account is finalized, the deposit will be applied to the final bill or returned to the customer, if all city property has been accounted for.

#### 8-4-15 VOLUNTARY TERMINATION OF SERVICE

Any person desirous of discontinuing the use of water will be charged a disconnection fee of fifteen dollars (\$15.00).

**8-4-16 WASTE OF WATER**

The escape of water through defective plumbing shall not be permitted and is hereby made the duty of the Water Department to enforce this section, and also to notify the consumers of the unnecessary waste of water on their premises. If within thirty days (30) after being so notified that water is being wasted, the necessary repairs are not made, the Water Department reserves the right to shut off the water on the premises. Before it shall be turned on, the consumer shall make the necessary repairs.

**8-4-17 SHUT OFF OF WATER FOR REPAIRS**

The City reserves at any time to shut off the water on the main pipe for the purpose of repairing the same, making connection. Or extension to the same, or for the purpose of cleaning the same, and it is expressly understood that no claim shall be made against the City by reason of the breaking of the service pipe or service curb cock, or from any damage arising from shutting off the supply for repairing, laying or relaying main, hydrants or other connections. It is hereby made the duty of the Water Department to give such reasonable notice as shall be practicable.

**8-4-18 HYDRANTS**

All hydrants erected in the City for the purpose of extinguishing fires are hereby declared to be public hydrants and no person, other than the members of the Fire Department and then only for the use and purpose of said department, or person specially authorized by the City Council and then only in the exercise of the authority delegated by it shall open any of the said hydrants, or attempt to draw water from the same, or at any time uncover or remove any protection from any of the hydrants in said City or in any manner interfere with any of said hydrants.

**8-4-19 ENFORCEMENT OF RULES**

It shall be the duty of the Water Department, Chief of the Fire Department, and all persons in the employ of the City having police powers to enforce the foregoing rules by making prompt complaint before the City Council against all persons violating said rules.

**8-4-20 WATER USE RESTRICTIONS**

All water used for air cooling systems, lawn or garden sprinkling is subordinate to domestic use or fire protection and may be restricted by the City Council at any time, should the scarcity of water or an emergency of any kind so require. Such restrictions shall be imposed by resolution of the City Council and notice thereof given the public by publication of such restrictions and the extent thereof, in the official newspaper, and if possible, by radio announcement, at least twenty-four hours before the effective date

of such restrictions and it shall be unlawful for any person to use city water in the manner or at the times restricted by such resolution.

#### 8-4-21 ABANDONMENT OF WATER SERVICE LINES

It shall be the responsibility of the owner of water service line to terminate such service line at the City main when said service line is to be abandoned from use. Service lines are determined to be abandoned from use at the discretion of the Water Superintendent to include, but not limited to:

1. When application is made to the City to demolish the structure that is served by the service line.
2. When new or replacement services are installed.
3. Changes in platting or zoning of existing lots where services have been previously installed but will not be used.
  - The owner shall incur all expenses to properly disconnect the service line at the corporation stop on the City main.
  - Such work shall be inspected and approved by the City Water Department during normal business hours prior to the commencement of backfilling procedures.
  - If the proper termination is not completed in a reasonable amount of time as determined by the City Water Department, the City shall have the authority to complete the proper termination at the expense of the owner.

#### 8-4-22 EXPENSES OF INSTALLATION AND REPAIR

The City shall pay any and all expenses in establishing, installing and repairing water service and sewer pipes from the water mains to the curb box at the outer sidewalk line.