

## SECTION 810

### WATER

#### **810**            **REGULATING THE USE OF A MUNICIPAL WATER SYSTEM**

##### **810.01**        **PURPOSE AND INTENT**

###### Subd. 1        Public Utility

The City of Tonka Bay Municipal Water System (hereinafter called the water system) shall be operated as a public utility and convenience from which revenue will be derived subject to the provisions of this ordinance.

###### Subd. 2        Effect of Regulations

No person, firm or corporation shall make, construct or install any water service installation, or make use of any water service, connected to the water system except in the manner provided in this ordinance, nor shall any person, firm or corporation otherwise make, construct, install or make use of any installation connected to the water system contrary to the regulatory provisions of this ordinance.

##### **810.02**        **APPLICATIONS**

###### Subd. 1        Existing Service Stubs

Service stubs have been installed to serve all homes and businesses presently located in the City of Tonka Bay. The connections are ready for use by the existing structures in the city.

###### Subd. 2        Additional Connections or Stubs

In the event additional connections or stubs are required or desired, applications shall be made at the City Hall on forms furnished by the city. All such applications for service stubs shall be made by the owner of the property to be served, or his duly authorized agent and shall state the size and location of the service connection required. The applicant shall at the time of making application pay to the city the amount of fees required for the installation of the service connection as provided in the Fee Schedule, 402.01 of this code. The applications shall also contain the name of the owner, a description of the property, lot, block and addition, name of road upon which the property fronts and the signature of the applicant, or his agent, agreeing to conform to the rules and regulations that may be established by the city as conditions for the use of water.

###### Subd. 3        Inspection

All work performed within the limits of the village streets shall be under the direct supervision of the City Water Inspector. If the installation is to be in a surfaced street, the location of the water main shall be ascertained from the City Engineer and upon completion of the construction the street restored to its

previously existing condition. The expense of such construction and restoration shall be borne by the applicant.

### **810.03        CONNECTION PERMITS**

#### Subd. 1        Permit Required

A permit shall be obtained to connect to the water system. Application for said permit shall be made on a special form furnished by the City. The fee for each permit shall be at a rate set by the City Council from time to time. Said fee amount shall be set out in the Fee Schedule, 402.01 of this code. All house service lines shall be inspected by the City Water Inspector before the same is covered to insure proper construction of the line and connection to the service stub. The owner or contractor shall notify the water inspector when the service pipe is ready for inspection. A water meter shall be obtained from the City at the time the permit is applied for.

#### Subd. 2        Notice Prior to Connection

If for any reason, the contractor or owner laying the service pipe should fail to have the connection made at the time specified in his application, notice must be given to the City offices fixing another day on which he wishes to make the connection. The notice must be given at least two (2) days prior to the excavation for laying of the service pipe, and the connection must be made before 3:00 p.m., except in special cases, and then the work must be done when the water inspector is available.

### **810.04        CONDITIONS OF PERMIT**

#### Subd. 1        Connection Charge

A connection charge as determined by resolution of the City Council and the permit fee as specified in 810.03 and set out in the fee schedule, 402.01 of this code, shall be paid at the time of making application for water service. In addition thereto, before any permit shall be issued, the following conditions shall be complied with:

#### Subd. 2        Conditions

No permit shall be issued to tap or connect with any water main or water system of the city either directly or indirectly from any lot or tract of land unless it shall be determined that

- \* (1) The lot or tract of land to be served by such connection or tap has been assessed for the cost of construction of the water main, water plant system and water system improvements levied in 1988 with which the connection is (amended October 25, 1988) made, or
- (2) If no assessment has been levied for such construction cost, the proceedings for levying such assessments have been or will be commenced in due course, or

\*

(3) If no assessment has been levied, and no assessment proceedings will be completed in due course, a sum equal to the portion of cost of construction of said water main, water plant system and water system improvements assessed in 1988 as adjusted below which would be assessable against said lot or tract, has been paid to the city. The assessable cost shall be determined as follows:

With respect to water main and plant systems, the formula shall be determined as follows:

Construction Cost Index as published  
by the Engineering News Record (ENR)  
the year in which the assessable  
cost would be applicable \_\_\_\_\_ X \$1,500/unit  
January 1, 1980 ENR Construction  
Cost Index

With respect to water system improvements assessed in 1988, the formula shall be as follows:

Construction Cost Index as published  
by the Engineering News Record (ENR)  
the year in which the assessable cost  
would be applicable \_\_\_\_\_ X \$640/unit  
September 1988 ENR Construction  
Cost Index

The Construction Cost Index in the numerator of the above formula shall be as determined in January of each year by Engineering News Record (ENR) and shall be used for the remainder of that calendar year. (\*Amended October 25, 1988)

**810.05 LISTING OF ACCOUNTS**

All accounts shall be kept on the books of the city by the name of the person served or of the person signing the application for service. All bills and notices sent out by the city shall be sent to the house of the property served. If non-resident owners or agents desire personal notice sent to a different address, they shall file an application therefor with the city. Any error in address shall be promptly reported to the city.

**810.06 WATER RATES**

Subd. 1 Rate Due The rate due and payable to the City by each water user for water taken from the water system shall be at a rate set by the City

Council by resolution from time to time. Said rate shall be set out in the Fee Schedule. 402.01 of this code.

Subd. 2 Faulty Meter In the event the water meter servicing any account is found to have stopped or operating in a faulty manner, the amount of water will be estimated in accordance with the amount used previously in comparable periods of the year.

Subd. 3 Pro-rated Charges Where service is for less than a quarterly period, the quarterly charge will be pro-rated on a monthly basis.

Subd. 4 Quarterly Billing Water bills shall be mailed to the customers quarterly and shall specify the water consumed and charge in accordance with the foregoing rates.

Subd. 5 Connection to an Automatic Sprinkler System  
Where a connection is made to an automatic sprinkler system for standby service only, a charge for such service shall be made on an annual basis. Charges for said service shall be established by the City Council from time to time. Said charges shall be set out in 402.01 of this code.

Subd. 6 The rates for connection of an automatic sprinkling system shall apply in all cases where sprinklers are installed and where fire gates and other outlets are sealed. Meters or detector check valves must be installed on such services as required by the city. The amount of these rates shall be due January 1 of the year for which service is to be provided and shall be payable on or before February 1 of that year. Where service is for less than an annual period, the annual charge shall be prorated on a monthly basis and such prorated amount shall be paid at the time of the connection of the sprinkler system.

Subd. 7 Special Contracts Rates due and payable by each water user located beyond the territorial boundaries of the city shall be determined by special contract.

**810.06a BILLING PROCEDURES**

Subd. a Statements

Statements for charges for water service for the period shall be mailed to each customer on or before the 10th day of January, April, July and October of each year. Such statements shall be due and payable to the City Clerk on or before the 1st day of the second month following the quarterly period covered by such statement. If payment is not made by the 1st day of the second month following the quarterly period covered by such statement a penalty of 10% or \$.50, whichever is greater, shall be added to the amount due on such bill.

Subd. b Delinquent accounts

It shall be the duty of the City to endeavor to collect delinquent accounts as promptly as possible and in all cases where satisfactory arrangements for payments have not been made, instructions shall be given to discontinue service by shutting off the water at the stop box.

Subd. c Assessments of delinquent accounts

All delinquent accounts may be certified by the clerk who shall prepare an assessment roll each year providing for assessments of delinquent accounts against the respective property served. This assessment roll shall be delivered to the City Council for adoption on or before October 1 of each year and upon approval thereof the clerk shall certify to the County Auditor the amount due and the County Auditor shall thereupon enter such amount as part of the tax levy on such premises to be collected during the ensuing year. Such action may be optional or subsequent to taking legal action to collect delinquent accounts.

**810.07 DISCONTINUANCE OF WATER SERVICE**

Water service may be shut off at any stop box connection whenever:

Subd. 1 Violation of this Ordinance

The owner or occupant of the premises served, or any person working on any pipes or equipment thereon which are connected with the water system, has violated, threatens to violate, or causes to be violated, any of the provisions of this ordinance.

Subd. 2 Unpaid Charges

Any charge for water, service, meter, or other financial obligation imposed on the present or former owner or occupant of the premises served is unpaid.

Subd. 3 Fraud or Misrepresentation

Fraud or misrepresentation by the owner or occupant of the premises served in connection with an application for service.

**810.08 AUTHORIZED WATER SHUT DOWNS**

Subd. 1 Emergency

The City shall not be liable for any deficiency or failure in the supply of water to consumers, whether occasioned by shutting the water off for the purpose of making repairs or connections, or from any other cause whatever. In case of fire, or alarm of fire, water may be shut off to insure a supply for fire fighting; or in making repairs or construction of new works, water may be shut off at any time and kept shut off as long as necessary.

Subd. 2 Unauthorized shut downs

No person, except an authorized city employee, shall turn on or off any water supply at the stop box without permission from the city.

Subd. 3 Charge for reconnection

For turning on water where service has been turned off for non-payment of water bill, failure to repair a leak, discontinuance of service or any other cause, a service charge as established by Council resolution from time to time will be made.

**810.09        SEPARATE METERS REQUIRED**

No more than one housing unit or building shall be supplied from one service connection except by special permission of the City Council. Whenever two or more parties are supplied from one pipe, connecting with the distribution main, each building or part of the building must have a separate stop box and a separate meter.

**810.10        AUTHORIZATION REQUIRED**

Only persons authorized by this ordinance shall tap any distributing main or pipe of the water system, or insert stopcocks or ferrules therein.

**810.11        SERVICE PIPES**

Subd. 1        Responsibility for small maintenance

It shall be the responsibility of the consumer or owner to maintain the service pipe from the curb box into the house or structure. In the case of failure upon the part of any consumer to repair any leak occurring in his pipe within twenty-four (24) hours after verbal or written notice thereof, the water will be shut off and will not be turned on until the service charge as specified in 810.08 subd. 3, has been paid and the leak repaired. When the waste of water is great, or when damage is likely to result from the leak, water may be turned off immediately pending repairs.

Subd. 2        Abandoned service installations

All service installations that have been abandoned or have not been used for one (1) year or, for any reason, have become useless for further service, shall be disconnected at the main by the city, and all pipe and appurtenances removed shall be the property of the city. Any expense of the city shall be charged to the property and, if not paid within thirty (30) days shall be treated as a delinquent account pursuant to this ordinance.

**810.12        WATER CONNECTIONS SERVING PROPERTY OUTSIDE CITY**

In any and all cases where water mains of the city have been or shall be extended to or constructed in any road, street, alley or public highway, adjacent to or outside the corporate limits of the city, the City Council is hereby authorized to contract with the adjacent municipalities to provide water service, issue permits to the owners or occupants of the properties adjacent to, or accessible to such water mains and to make proper water service pipe connections with such water mains of the city and to be supplied with water in conformity with and subject to all the terms, conditions and provisions of this ordinance, and persons accepting such service shall thereby agree to be bound and obligated by said ordinance.

**810.13      SPECIFICATION FOR HOUSE SERVICE UNIT**

All installations of house service lines shall comply with the following:

Subd. 1      House service pipe must be laid with sufficient waving to allow not less than one foot extra length per 200 feet and in such manner as to prevent rupture by settlement.

Subd. 2      House service lines must be placed not less than seven and one-half feet below the surface and arranged so as to prevent rupture by freezing.

Subd. 3      A shut off or other stopcock shall be used and placed so as to be protected from freezing.

Subd. 4      Type K of minimum 3/4 inch copper tubing shall be used for runs. It is recommended that type K of minimum 1 inch copper tubing be used for runs from 50 feet to 150 feet, and type K of minimum 1 inch copper tubing be used for runs from 50 feet to 150 feet, and type K of minimum 1 1/2 inch copper tubing be used for runs from 150 feet to 300 feet.

Subd. 5      All underground joints are to be mechanical (compression or flared, not sweated) unless otherwise approved by the city inspector.

Subd. 6      Joints in copper tubing shall be kept to a minimum with not more than one joint used for service up to 70 feet in length.

Subd. 7      All joints and connections shall be left uncovered until inspected and tested at normal water line pressure.

Subd. 8      All service over 2 inch shall be of cast iron.

Subd. 9      Connections at mains for domestic supply shall be at least one inch.

Subd. 10      No water pipe shall be connected with any pump, well, tank or piping that is connected with any other water supply other than the municipal system.

Subd. 11      No person shall permit water from the water system to be used for any purpose except upon his own premises unless written consent is first obtained from the city.

Subd. 12      As an alternative to copper tubing set forth hereinabove, the following materials may be used for water services for pipe up to and including 2 inches in diameter as follows:

(1) a. Polyethylene

The tubing shall be made from virgin, ultra-high molecular weight polyethylene resin meeting the requirements of Type III, Grade P3 which also meets the requirements of P34, Class C material as described in ASTM D-1248-68, "Specifications for Polyethylene Molding and Extrusion Compounds." Flow rate, measured by extrusion rheometer, shall not exceed 0.25 gms/10 Min. as determined at a test temperature of 590 degrees Fahrenheit (310 degrees Celsius) using a plunger load of 27.5 pounds, according to the procedure outlined in ASTM D-1238-65T, "Measuring Flow Rates of Thermoplastics by Extrusion Plastometer". Dimensions and tolerances shall meet the values listed in the ASTM Polyethylene Water Service Tubing specifications. Standard dimension ratio shall be SDR-9.

b. Polybutylene

Tube shall be made from virgin ultra-strength polybutylene plastic, ASTM material designation PB2110. This is Type II, Grade 1 polybutylene plastic, with a hydrostatic design stress of 1,000 psi for water at 73.4 degrees Fahrenheit.

Dimensions and tolerances shall meet the values listed in the ASTM Polybutylene Water Service Tubing Specification. Standard dimension ratio shall be 13.5.

(2) Pressure Rating.

Tubing shall be rated for 160 psi working pressure at 73.4 degrees Fahrenheit for water.

(3) Workmanship.

Surface shall be homogeneous inside and outside and completely free of irregularity. Random testing shall be performed at intervals during all production runs to assure uniformity in all respects. The tubing shall carry the National Sanitation Foundation seal of approval for drinking water.

(4) Marking.

Pipe or tubing shall be marked with embossed lettering at intervals of not more than 2 feet, and marking shall include nominal size, manufacturer's name or trademark, machine identity, pressure rating for water at 73 degrees Fahrenheit, 160 psi; ASTM material specification, standard dimension ratio, the National Sanitation Foundation seal of approval for drinking water, and the ASTM specification reference.

(5) Guarantee.

Pipe or tubing shall be guaranteed in writing against rot, rust, corrosion and defects for 50 years from date of installation, with pipe replacement and labor cost warranted in writing for 25 years from date of installation.

(6) Connections.

All connections shall be made with products used with copper water services. There shall be no jointing of the tubes under the traveled



roadway, but joints will be allowed elsewhere up to 1 joint per 50 feet of tube.

**810.14        RESTRICTIONS CAUSED BY WATER SHORTAGE**

Whenever the City Council shall determine that a shortage of water supply threatens the city, it may, by resolution, limit the times and hours during which water may be used from the water system for lawn and garden sprinkling, irrigation, car washing, and other uses specified therein. Notice of such limitation shall thereupon be mailed to each water consumer.

**810.15        PRIVATE WELLS**

Private wells may be maintained and continued in use after connection is made to the water system, provided there is no means of cross-connection between the private well and the municipal supply at any time. Hose bibbs, that will enable the cross-connection of the two systems, are prohibited on internal piping of the well supply system. The threads on the boiler drain of the well volume tank shall be removed or the boiler drain hose bibb replaced with a sink faucet. Outside hose bibbs will not be installed on the municipal system where dual water systems are in use.

**810.16        OPERATION OF FIRE HYDRANTS**

No person other than authorized city employees or city firemen shall operate fire hydrants or interfere in any way with the water system without first obtaining a permit to do so from the city.

**810.17        Water Meters**

Subd. 1        Meter required

Except for extinguishing of fire, no person except authorized city employees shall use water from the water supply system or permit water to be drawn therefrom unless the same be metered by passing through a meter supplied or approved by the city. No person not authorized by the city shall connect, disconnect, take apart, or in any manner change or cause to be changed, or interfere with any such meter or the action thereof.

Subd. 2        Charge for water meter

A charge for water meter shall be paid to the City by customers for water meters in advance before delivery of the water meter for installation. Said charge shall be as set by City Council resolution from time to time. The charge for the water meter shall be set out in the Fee Schedule, 402.01 of this code.

Subd. 3        Maintenance and repair

The city shall maintain and repair all meters when rendered unserviceable through ordinary wear and tear and shall replace them if necessary. However, where any replacement, or repair or adjustment of any meter is necessary because of damage from hot water backup, damage from freezing water, or

damage from any act, carelessness or negligence of the owner or occupants of any premises, any expense incurred by the city to repair said damage shall be charged against and collected from the water consumer, and water service may be discontinued until the cause is corrected and the amount charged collected.

Subd. 4      Testing of meters

When a consumer makes a complaint that the bill for any past services has been excessive, the city shall, upon written request, have such meter re-read. If the consumer remains dissatisfied and desires that the meter be tested, said consumer shall then make a deposit of \$10.00 and the city shall test the meter. The consumer shall, if he so desires, be present when such test is made. In case a test should show an error of over five percent of the water consumed in favor of the city, the deposit will be refunded to the consumer, and a correctly registering meter will be installed and the date of the written request and the minimum charge shall not be affected. In case the test shows an accurate measurement of water or an error in favor of the consumer, the amount deposited shall be retained by the city to cover the expenses of making such test.

Subd. 5      Meters are City property

All water meters shall be and remain the property of the city, and may be removed or replaced or changed as to size and type by the city whenever deemed necessary.

Subd. 6      Reading meters

Authorized village employees shall have free access at reasonable hours of the day to all parts of every building and the premises connected to the water system for reading of meters and inspection. The City Council shall be authorized to make adjustments in water charges when the amount billed is erroneous due to a meter deficiency or other mistake.