

CHAPTER 90

WATER SERVICE SYSTEM

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90.01 DEFINITIONS. The following terms are defined for use in the chapters in this Code of Ordinances pertaining to the Water Service System:

1. "Combined service account" means a customer service account for the provision of two or more utility services.
2. "Customer" means, in addition to any person receiving water service from the City, the owner of the property served, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.
3. "Superintendent" means the Superintendent of the City water system or any duly authorized assistant, agent or representative.
4. "Water main" means a water supply pipe provided for public or community use.
5. "Water service pipe" means the pipe from the water main to the building served.
6. "Water system" or "water works" means all public facilities for securing, collecting, storing, pumping, treating and distributing water.

90.02 SUPERINTENDENT'S DUTIES. The Superintendent shall supervise the installation of water service pipes and their connection to the water main and enforce all regulations pertaining to water services in the City in accordance with this chapter. This chapter shall apply to all replacements of existing water service pipes as well as to new ones. The Superintendent shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, subject to the approval of the Council. In the event

of an emergency the Superintendent may make temporary rules for the protection of the system until due consideration by the Council may be had.

(Code of Iowa, Sec. 372.13[4])

90.03 MANAGEMENT. The water system shall be under the management and control of the Council. All revenues and moneys derived from the operation of the water system shall be paid to and held by the City separate and apart from all other funds of the City and all of said sums and all other funds and moneys incident to the operation of said system, as may be delivered to the City, shall be deposited in a separate fund designated the "Waterworks Fund Account." The Council shall administer said fund in every respect in a manner provided by the Code of Iowa and all other laws pertaining thereto. The City shall establish a proper system of accounts and shall keep proper records, books and accounts in which complete and correct entries shall be made of all transactions relative to the water system, and at regular annual intervals the Council shall cause to be made an audit of the books to show the receipts and disbursements of the water system.

90.04 CUSTOMER CONSENT TO PROVISIONS. The provisions of these chapters pertaining to the Water Service System are a part of the contract with every person who is supplied with water through the water system of the City, and every such person, by taking water, agrees to be bound thereby, and whenever any such person violates any provisions of such chapters, the Clerk is empowered to suspend water service to the premises owned or possessed by such person.

90.05 DISCLAIMER OF LIABILITY. No claim shall be made against the City by reason of the breaking or failure of any service pipe, meter or other appurtenance, or failure of the water supply from any cause, or damage arising from suspending water service because of a violation of the chapters pertaining to the Water Service System or in connection with an emergency or the making of repairs to the water system. The City does not guarantee a constant supply of water to any user and the right is reserved to suspend the water supply at any time notwithstanding any permit granted to the contrary. The water supplied to customers through the water system is for human consumption and no claims will be allowed by the City for damages arising out of its use for plants, marine animals or any other purpose.

90.06 MANDATORY CONNECTIONS. All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water system.

90.07 WATER SERVICE OUTSIDE OF CORPORATE LIMITS. Applicants for water service to premises outside the corporate limits of the City shall purchase water meters approved by the City, and such meters shall be installed by the City or its designee. All extensions of the water system to premises outside the corporate limits of the City shall be of Type “K” copper.

90.08 ABANDONED CONNECTIONS. When an existing water service is abandoned or a service is renewed with a new tap in the main, all abandoned connections with the mains shall be disconnected from the corporation stop. The corporation shall be capped and the stop box removed in accordance with the *City Specifications*. This work shall be performed at the owner’s expense by a plumbing contractor. All work shall be inspected and approved by a representative of the City’s water department.

90.09 PERMIT. Before any person makes a connection with the public water system, a written permit must be obtained from the City. The application for the permit shall include a legal description of the property, the name of the property owner, the name and address of the person who will do the work, and the general uses of the water. The City shall approve the person who does the work. If the proposed work meets all the requirements of this chapter and if all fees required under this chapter have been paid, the permit shall be issued. Work under any permit must be completed within one year after the permit is issued, except that when such time period is inequitable or unfair due to conditions beyond the control of the person making the application, an extension of time within which to complete the work may be granted. The permit may be revoked at any time for any violation of these chapters.

90.10 FEE FOR PERMIT AND CONNECTION CHARGE. Before any permit is issued the person who makes the application shall pay an amount set by resolution of the Council to the Clerk to cover the cost of issuing the permit and supervising, regulating, and inspecting the work. In addition there shall be paid a connection charge in an amount set by resolution before issuance of a permit to reimburse the City for costs borne by the City in making water service available to the property served.

(Code of Iowa, Sec. 384.84)

90.11 COMPLIANCE WITH PLUMBING CODE. The installation of any water service pipe and any connection with the water system shall comply with all pertinent and applicable provisions, whether regulatory, procedural or enforcement provisions, of the *International Plumbing Code*, as adopted by the City.

90.12 EXCAVATIONS. All trench work, excavation and backfilling required in making a connection shall be performed in accordance with applicable excavation provisions as provided for installation of building sewers and/or the provisions of Chapter 135.

90.13 TAPPING MAINS; INSTALLATION OF WATER SERVICE PIPE. All taps into water mains and the installation of water service pipes shall be completed in accordance with the *City Specifications* adopted by and on file with the City.

90.14 RESPONSIBILITY FOR WATER SERVICE PIPE. All costs and expenses incident to the installation, connection and maintenance of the water service pipe from the main to the building served, including the curb valve, curb valve box, corporation and saddle, shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of said water service pipe. If an existing water service pipe is to be repaired, the materials used for the repair shall be of the type and size specified for new service lines. If it is determined that half or more of either the section between the main and the curb valve or the section between the curb valve and the building served must be replaced, then the entire section must be replaced with materials as approved for new service lines.

90.15 SERVICE LINE LEAKS; REPAIRS. An owner will make any service line leak or repair at the owner's expense. The water utility will be allowed to inspect any repairs before covering such repairs with fill. Any leak found in the service line will be repaired as soon as possible to eliminate loss of water. Owners of service line leaks will be allowed to have a reasonable time to make needed repairs. If after a reasonable time period repairs have not been made, the water utility retains the right to make any needed repairs with all costs to be billed to the property owner. The property owner will repair all non-working or broken curb valves or curb valve boxes in a reasonable time (30 to 60 days) upon notification by the water utility. Any time lead service lines, goosenecks or other prohibited materials are uncovered, they shall be replaced at the owner's expense. Frozen service lines will be the owner's responsibility to thaw any such service lines. The water utility will retain the right to use the curb valve when needed. The curb valve box lid should be level with the ground and workable and visible at all times. No one shall operate the curb valve without the water utility's permission. All repairs will need a permit from the water utility.

90.16 FAILURE TO MAINTAIN. When any portion of the water service pipe which is the responsibility of the property owner becomes defective or creates a nuisance and the owner fails to correct such nuisance the City may do so and assess the costs thereof to the property.

(Code of Iowa, Sec. 364.12[3a & h])

90.17 CURB VALVE. There shall be installed within the public right-of-way or utility easement a main shut-off valve on the water service pipe of a pattern approved by the Superintendent. The shut-off valve shall be constructed to be visible and even with the pavement or ground. The Superintendent shall identify the placement of the curb valve.

90.18 INTERIOR VALVE. There shall be installed a shut-off valve on every service pipe inside the building as close to the entrance of the pipe within the building as possible and so located that the water can be shut off conveniently. Where one

service pipe supplies more than one customer within the building, there shall be separate valves for each such customer so that service may be shut off for one without interfering with service to the others. The valves should comply with the *City Specifications* and be placed before and after the meter.

90.19 INSPECTION AND APPROVAL. All water service pipes and their connections to the water system must be inspected and approved in writing by the Superintendent before they are covered, and the Superintendent shall keep a record of such approvals. If the Superintendent refuses to approve the work, the plumber or property owner must proceed immediately to correct the work. Every person who uses or intends to use the municipal water system shall permit the Superintendent to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority.

90.20 COMPLETION BY THE CITY. Should any excavation be left open or only partly refilled for twenty-four (24) hours after the water service pipe is installed and connected with the water system, or should the work be improperly done, the City shall have the right to finish or correct the work, and the Council shall assess the costs to the property owner. If the property owner is assessed, such assessment may be collected with and in the same manner as general property taxes.

(Code of Iowa, Sec. 364.12[3a & h])

90.21 SHUTTING OFF WATER SUPPLY. The Superintendent may shut off the supply of water to any customer because of any violation of the regulations contained in these Water Service System chapters that is not being contested in good faith. The supply shall not be turned on again until all violations have been corrected and the Superintendent has ordered the water to be turned on.

90.22 CURB VALVE AND HYDRANTS. All water hydrants installed for the purpose of extinguishing fires are the property of the City and shall be of the type specified by the City. It is unlawful for any person except an authorized employee of the City to turn water on at the curb valve, and no person, unless specifically authorized by the City, shall open or attempt to draw water from any fire hydrant for any purpose whatsoever.

90.23 WATER CONSERVATION PLAN. The Council may declare a water conservation emergency whenever the supply of water or water system facilities are found to be inadequate for the needs of the City or whenever there appears to be a substantial and imminent danger of such inadequacy. A resolution making such finding and declaring such emergency shall be published for one publication in a newspaper of general circulation in the City and upon publication shall require compliance with this section by all persons using water from the municipal water system until by resolution of the Council the emergency is declared to be terminated. As an alternative to publication in a newspaper of general circulation, the City may notify residents via door-to-door delivery of notices.

1. Restrictions. During a water conservation emergency declared under this section, potable processed water from the municipal water system, which

does not include water that has been reclaimed or recycled from an authorized primary use, shall not be used for any of the following purposes:

- A. The use of water consuming air-conditioning equipment which consumes in excess of five percent of the water circulating in such equipment;
 - B. Watering or irrigation of lawns and all other outside vegetation except that direct applications of water not exceeding one inch per week are permitted between the hours of 10:00 a.m. and 6:00 p.m. on flower and vegetable gardens, trees and shrubs less than four years old and areas which were newly seeded or sodded prior to issuance of the emergency resolution;
 - C. The washing of cars, trucks, trailers and other mobile vehicles or equipment except at commercial establishments which provide that service;
 - D. The cleaning of outdoor surfaces including buildings, sidewalks, driveways and porches;
 - E. The non-essential cleaning of commercial and industrial equipment, machinery and interior spaces;
 - F. The filling of private swimming pools, wading pools, reflecting pools, ornamental fountains, or any other structure making similar use of water;
 - G. Permitting the loss of water through defective plumbing or fixtures, except where the customer can provide proof of prompt repair of the defect;
 - H. Use by a business or industry of an amount of water exceeding the amount used during the corresponding month of the preceding year except where the business or industry is declared by resolution of the Council to be necessary for the public health, safety and welfare. Where there is no corresponding period of use, the Council shall hold a public hearing to determine the allowable use.
2. Rates. Any person found to be using City water in violation of this section shall be charged four times the rate which would otherwise apply. This rate shall apply to all metered service through the service connection used in the violation during any month that a water conservation emergency is declared by the Council to exist and during which the violation has occurred or continued.

90.24 EMERGENCY SUSPENSION OF SERVICE. The City may limit or temporarily suspend the use of water in the event the capacity of the water system is not adequate to supply all demands for water or in the event of an emergency requiring the diversion of water for such emergency purpose.

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CHAPTER 91

CROSS CONNECTIONS AND BACKFLOW PREVENTION

91.01 General

91.02 Definitions

91.03 Backflow Prevention

91.04 Required Installation

91.05 Interconnected Services and/or Fire Lines

91.06 Cross Connection Control – Containment Provisions

91.01 DEFINITIONS. The following definitions apply to this chapter.

1. “Administrative authority” means City’s Water Department.
2. “Approved backflow prevention assembly for containment” means a backflow prevention assembly which is listed by the University of Southern California – Foundation for Cross Connection Control and Hydraulic Research as having met the requirements of ANSI-AWWA Standard C510-89, *Double Check Valve Backflow-Prevention Assemblies*, or ANSI-AWWA Standard C511-89, *Reduced-Pressure Principle Backflow-Prevention Assemblies* for containment. The listing shall include the limitations of use based on the degree of hazard. The International Association of Plumbing and Mechanical Officials must also list the backflow prevention assembly.
3. “Approved backflow prevention assembly for containment in a fire protection system” means a backflow prevention assembly to be used in a fire protection system which meets the requirements of Factory Mutual Research Corporation (FM) and Underwriters Laboratory (UL), and the requirements of the Fire Code and the Building Code of the City, in addition to the requirements of subsection 2. Devices sized smaller than 2½ inches which have not been listed by Underwriters Laboratory (UL) and tested by Factory Mutual Research Corporation (FM) may be allowed if they meet the requirements of the Fire Code and the Building Code of the City.
4. “Auxiliary water supply” means any water supply on or available to the premises other than the water purveyor’s approved public water supply, such as but not limited to a private well, pond or river.
5. “Containment” means a method of backflow prevention that requires the installation of a backflow prevention assembly at the water service entrance.
6. “Cross connection” means any actual or potential connection or arrangement, physical or otherwise, between a potable water supply

system and any plumbing fixture or tank, receptacle, equipment, or device, through which it may be possible for non-potable, used, unclean, polluted, and contaminated water or other substance to enter into any part of such potable water system under any condition.

7. “Customer” means the owner, operator, occupant of a building or property which has a water service from a public water system, or the owner or operator of a private water system which has a water service from a public water system.

8. “Degree of hazard” means the rating of a cross connection or water service that indicates if it has the potential to cause contamination or pollution.

9. “Double check valve backflow prevention assembly” means a backflow prevention device consisting of two independently acting internally loaded check valves, four properly located test cocks, and two isolation valves.

10. “High hazard cross connection” means a cross connection which may cause an impairment of the potable water by creating an actual hazard to the public health, through the spread of disease by sewage, industrial fluids, or waste.

11. “Isolation” means a method of backflow prevention in which a backflow prevention assembly is located at the cross connection rather than at the water service entrance.

12. “Low hazard cross connection” means a cross connection which may cause an impairment of the quality of the potable water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use.

13. “Reduced pressure principle backflow prevention assembly” means a backflow prevention device consisting of two independently acting internally loaded check valves, a different pressure relief valve, four properly located test cocks, and two isolation valves.

14. “Registered backflow prevention assembly technician” means a person who is registered by the State of Iowa to test or repair backflow prevention assemblies and report on the condition of those assemblies.

15. “Thermal expansion” means volumetric increase of water due to heating resulting in increased pressure in a closed system.

16. “Water service,” depending on the context, means a physical connection between a public water system and a customer’s building, property, or private water system, or the act of providing potable water to a customer.

17. “Water Department” means the Huxley Water Department.

91.02 CROSS CONNECTION PROHIBITED GENERALLY. Cross connection from any well or other source of water to any piping system connected to the City’s

Water Department distribution mains shall not be permitted except upon written permission from the Superintendent. These conditions shall be subject to periodic inspection and approval by the Water Department.

91.03 BACKFLOW PREVENTION. The customer shall prevent pollutants and contaminants from entering his or her potable water supply system or the Water Department distribution mains by backflow or back siphoning. All water-using devices must be so designed so that backflow or back siphoning to the system cannot occur. Where harmful contaminants or pollutants are used with any device or process connected to the water system, the customer must install and maintain a reduced pressure backflow prevention device in accordance with the *City Specifications* and any applicable Plumbing Code requirements. All permanently installed underground irrigation systems shall contain a reduced pressure principle backflow assembly to prevent backflow or back siphoning to the Water Department's distribution system.

91.04 REQUIRED INSTALLATION. The approved backflow prevention devices shall be installed:

1. For new plants or facilities, as described in this chapter, when constructed.
2. For existing plants or facilities, as described in this chapter, when major plumbing changes are made.
3. For existing plants or facilities, as described in this chapter, where a dangerous or potentially dangerous condition is found.
4. For any residence, plant or facility where a dangerous or potentially dangerous condition is found and where such installation is ordered by the Water Department.
5. When required by other codes or statutes.

91.05 INTERCONNECTION SERVICES AND/OR FIRE LINES. Where a customer is served by two or more interconnected services and/or fire lines connected to different Water Department distribution mains, the customer shall install and maintain, at his or her expense, on each service and/or fire line,

an approved check valve according to the latest edition of the AWWA Standard C508. This check valve, installed in an access manhole, shall be located on private property just inside the property line. Even though the check valve is located on private property, Water Department personnel shall have the right and license to have access to it.

91.06 CROSS CONNECTION CONTROL – CONTAINMENT PROVISIONS.

1. Administrative Authority.
 - A. The Water Department shall have the right to enter, with the consent of the customer or upon the basis of a suitable warrant issued by a court of appropriate jurisdiction, any property to inspect the possible cross connections.
 - B. The Water Department shall maintain records of cross connection hazard surveys, and the installation, testing, and repair of all backflow prevention assemblies installed for containment purposes.
2. New Water Services.
 - A. Plans shall be submitted to the Water Department for review on all new water services in order to determine the degree of hazard.
 - B. The Water Department, in consultation with the Building Inspector, shall determine the type of backflow prevention assembly required for the containment based on the degree of hazard.
 - C. The Water Department and/or the Building Inspector shall inspect the installation of the required backflow prevention assembly for containment before the initiation of water service.
3. Existing Water Service.
 - A. Upgrades of existing water services shall be treated as new water services for the purpose of this section.
 - B. The Water Department, on the basis of information received from customers, surveys, or gathered through on-site investigations, shall determine the type of backflow prevention assembly required for containment based on the degree of hazard.

C. Within the time frame specified by the Water Department, the customer shall install a backflow prevention assembly for containment as required by the Water Department.

D. For existing water services, the Water Department may inspect the premises to determine the degree of hazard. When high hazard cross connections are found, the Water Department, at its sole discretion, shall: (i) develop a schedule of compliance which the customer shall follow, or (ii) terminate the water service until the required backflow prevention assembly for containment has been installed.

E. Failure of the Water Department to notify a customer that they are believed to have a high hazard cross connection and that they shall install backflow prevention assemblies for containment in no way relieves a customer of the responsibility to comply with all requirements of this section.

4. Customer.

A. The customer shall be responsible for ensuring that no cross connection exists without approved backflow protection within his or her premises starting at the point of service from the public potable water system.

B. The customer shall, at his or her expense, cause installation, operation, testing and maintenance of backflow prevention assemblies.

C. The customer shall ensure that copies of records of the installation and all tests and repairs made to the backflow prevention assembly are delivered to the Water Department on the approved form within fifteen (15) days after testing and/or repairs are completed.

D. In the event of a backflow incident, the customer shall immediately notify the Water Department of the incident and take steps to confine the contamination or pollution.

5. Required Backflow Prevention Assemblies for Containment – Water Services.

A. An air gap or an approved reduced pressure principle backflow prevention assembly is required for water services having one or more cross connections which the administrative authority has classified as high hazard.

B. An approved double check valve assembly is required for water services having no high hazard cross connections but having one or more cross connections which the Water Department has classified as low hazard.

6. Required Backflow Prevention Assemblies for Containment – Fire Protection Systems.

A. A reduced pressure principle backflow prevention assembly shall be installed on all new and existing fire protection systems which the Water Department has determined to have any of the following:

- (1) Direct connections from public water mains with an auxiliary water supply on or available to the premises for pumper connection.
- (2) Interconnections with auxiliary supplies such as reservoirs, rivers, ponds, wells, mills or other industrial water systems.
- (3) Use of antifreezes or other additives in the fire protection system.
- (4) Combined industrial and fire protection systems supplied from the public water mains only, with or without gravity storage or pump suction tanks.
- (5) Any other facility, connection or condition which may cause contamination.

B. A double check valve assembly will be required for all other fire protection systems. The double check valve assembly shall be required on all new systems at the time of installation and on existing systems at the time they are upgraded.

C. Submittal of proposed backflow prevention devices to the Water Department does not relieve the designer or the sprinkler contractor of the responsibility of submitting plans, including backflow prevention devices to the Fire Chief for approval.

7. Backflow Prevention Assembly Technicians. A backflow prevention assembly technician registered by the State of Iowa shall include his or her registration number on all correspondence and forms required by or associated with this section.

8. Registered Backflow Prevention Assembly Technician Noncompliance. Noncompliance with any of the following by a registered technician shall be ground for reporting said individual to the State Health Department:

- A. Improper testing or repair of backflow prevention assemblies.
- B. Improper reporting of the results of testing or of repairs made to backflow prevention assemblies.
- C. Failure to meet registration requirements.
- D. Related unethical practices.

9. Installation of Backflow Prevention Assemblies.

A. The required backflow prevention assemblies for containment shall be installed in the horizontal plumbing immediately following the meter or as close to that location as deemed practical by the Water

Department. In any case, it shall be located upstream from any branch piping. Installation at this point does not eliminate the responsibility of the customer to protect the water supply system from contamination or pollution between the backflow prevention assembly and the water main.

B. Reduced pressure principle backflow prevention assemblies shall be installed so as to be protected from flooding.

C. Reduced pressure principle backflow prevention assemblies shall not be installed in underground vaults or pits.

D. All backflow prevention assemblies shall be protected from freezing. Those devices used for seasonal water services may be removed in lieu of being protected from freezing; however, the devices must be reinstalled and tested by a registered backflow prevention technician prior to service being reactivated.

E. If hot water is used within the water system, thermal expansion shall be provided for when installing a backflow prevention assembly for containment.

F. Provisions shall be made to convey the discharge of water from reduced pressure principle backflow prevention assemblies to a suitable drain.

G. The backflow prevention assembly shall not be installed in a place where it would create a safety hazard, such as but not limited to installation over an electrical panel or above ceiling level.

H. If interruption of water service during testing and repair of backflow prevention assemblies for containment is unacceptable, another backflow prevention assembly, sized to handle the temporary water flow needed during the time of test or repair, should be installed in parallel piping.

I. All backflow prevention assemblies shall be installed so that they are accessible for testing as stated in the Plumbing Code.

J. All shut-off valves shall conform to the current edition of the *Manual of Cross-Connection Control* (University of Southern California) requirements for either ball or resilient seat gate valves at the time of installation. Ball valves shall be used on assemblies installed in piping two inches and smaller and resilient seat gate valves on assemblies installed in piping larger than two inches.

K. Location and protection of the containment assembly shall be approved by the Water Department prior to installation.

10. Testing of Backflow Prevention Assemblies.

A. Testing of backflow prevention assemblies shall be performed by a registered backflow prevention assembly technician. The costs of

tests required in the following paragraphs B through E shall be borne by the customer.

B. Backflow prevention assemblies shall be tested upon installation and tested and inspected at least annually.

C. Backflow prevention assemblies that are in place, but have been out of operation for more than three months, shall be tested before being put back into operation. Backflow prevention assemblies used in seasonal applications shall be tested before being put into operation each season.

D. Any backflow prevention assembly that fails a periodic test shall be repaired or replaced. When water service has been terminated for noncompliance, the backflow prevention assembly shall be repaired or replaced prior to the resumption of water service. Backflow prevention assemblies shall be re-tested by a registered backflow prevention assembly technician immediately after repair or replacement.

E. The Water Department may required backflow prevention assemblies to be tested at any time in addition to the annual testing requirement.

F. The registered backflow prevention assembly technician shall report the successful test of a backflow prevention assembly to the customer and to the Water Department within fifteen (15) days of the test.

G. The Water Department may require, at the owner's expense, additional tests of individual backflow prevention assemblies, as it deems necessary to verify test procedures and results.

11. Repair of Backflow Prevention Assemblies.

A. All repairs to backflow prevention assemblies shall be performed by registered backflow prevention assembly technicians.

B. The registered backflow prevention assembly technician shall not change the design, material or operational characteristics of a backflow prevention assembly during repair or maintenance, and shall use only original manufacturer replacement parts.

C. The registered backflow prevention assembly technician shall report the repair of a backflow prevention assembly to the customer and to the Water Department on a form provided by the technician within fifteen (15) days of the repair. The report shall include the list of materials or replacement parts used.

D. Any time fire services are disconnected for a period of time longer than necessary to test the device; the tester is required to notify the Fire Chief that the fire services are shut off for repair.

12. Customer Noncompliance. The water service may be discontinued in the case of noncompliance with this section. Noncompliance includes, but is not limited to, the following:
- A. Refusals to allow Water Department personnel to the property to inspect for cross connections.
 - B. Removal of a backflow prevention assembly which has been required by the Water Department.
 - C. Bypassing of a backflow prevention assembly which has been required by the Water Department.
 - D. Providing inadequate backflow prevention when cross connections exist.
 - E. Failure to install a backflow prevention assembly which has been required by the Water Department.
 - F. Failure to test and/or properly repair a backflow prevention assembly as required by the Water Department.

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CHAPTER 92

WATER METERS

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92.01 PURPOSE. The purpose of this chapter is to encourage the conservation of water and facilitate the equitable distribution of charges for water service among customers.

92.02 WATER USE METERED. All water furnished customers shall be measured through meters furnished by the City and installed by the City.

92.03 FIRE SPRINKLER SYSTEMS – EXCEPTION. Fire sprinkler systems may be connected to water mains by direct connection without meters under the direct supervision of the Superintendent. However, fire lines under two inches in size will be metered. No open connection can be incorporated in the system, and there shall be no valves except a main control valve at the entrance to the building which must be sealed open.

92.04 LOCATION AND ACCESSIBILITY.

1. Basement Mechanical Room. The water meter shall be located in the basement or mechanical/utility room if one is provided. The master water meter shall be placed where the water service line comes through the basement wall or basement floor. Where no basement is provided, the master meter shall be placed where the service line comes through the floor of the utility room. Meters shall be indoors and protected from freezing. A floor drain shall be located in the room containing the meter. Meters shall not be located above the first or ground floor level under any conditions. Only the individual water meter serving a dwelling unit may be located within the private occupancy space of that dwelling unit.

2. Multi-family Dwellings. In a duplex, the preferred meter location is in the joint basement or mechanical room. If this is not possible, each individual meter must be in the private occupancy area (utility room, for example) of that dwelling unit. In multi-family dwellings on one level, the preferred meter location is in a joint mechanical, utility or meter

room. However, with prior approval, individual meters may be located in the utility room of each dwelling unit. In multi-family dwellings on more than one level, meters shall be congregated in one or more mechanical/utility or meter rooms in the basement or first floor level of the building. Location of individual meters in each individual utility room or apartment is prohibited. In an apartment complex where a mechanical room is not provided, a water meter room shall be provided at the point where the service line comes through the wall or floor. A floor drain must also be provided in this area.

3. Placement. All meters shall be placed within 30 inches and no more than 42 inches from where the water service first penetrates the floor or wall of the structure.

4. Meter Setting Height. Single water meters shall be set at a height not less than 30 inches and not more 42 inches above the floor. Multiple water meters may be stacked vertically, either directly above or offset, within general limits of not less than 20 inches and not more than 48 inches above the floor.

5. Accessibility. All water meters shall be in an accessible location. There shall be no obstruction or storage of other materials preventing access to the meter. The meter shall not be placed above or behind a furnace, water heater, washer or dryer or other such arrangement limiting access to the meter. No shelf may be placed less than two feet above any meter. For meters smaller than one inch, a minimum of two feet of working clearance around the meter is necessary for meter maintenance and routine change. For meters one inch or larger, a minimum of three feet of working clearance around the meter is necessary for maintenance.

92.05 METER SETTING. The property owner shall provide all necessary piping and fittings for proper setting of the meter including an inverted key, ring style, locking-type water meter valve of “Ford KV-23-W” pattern, or its equivalent, attached to every water service pipe inside the building wall, the valve to be set not less than 2½ feet above the basement floor. There shall also be a valve installed on the discharge side of the meter.

92.06 METER PITS. Meter pits are not generally approved because of the difficulty and safety hazards in meter reading and maintenance. If no other alternative is available, a meter pit constructed in accordance with Water Department specifications may be approved.

92.07 METER ACCESSORIES.

1. Bypass. A valved bypass line shall be provided for every water meter installation 1½-inch diameter and larger so that the meter can be removed without interrupting service to the customer. All valved bypass lines shall be closed and locked. If the lock is removed for any reason except as may be authorized by the Superintendent, the customer shall be billed for unauthorized use.
2. Jumper Wire. All water services shall have a jumper wire installed to ground the water service when the water meter is removed for testing or maintenance. The use of the water service as a primary ground for the electrical, telephone, cable television or other systems is prohibited.
3. Water Meter Supports. If plastic or PVC pipe materials are used for the interior plumbing, the water meter shall be supported or mounted in an approved manner. Acceptable supports include a shelf attached/anchored to the building wall or a steel support anchored in the concrete floor. The support shall be of sufficient strength to hold the weight of the meter and accessories. A temporary support may be used for construction meters.

92.08 METER COSTS AND MAINTENANCE. All water meters over one (1) inch in diameter, meter pits and their appurtenances and the maintenance of water meters (regardless of size), meter pits and their appurtenances shall be the responsibility of the property owner(s). Any replacement of a meter, meter pit and/or their appurtenances shall be the responsibility of the property owner(s). Provided, however, at all times the City shall have the right to inspect the meter, meter pit and their appurtenances, including the right to traverse the property necessary to access the same. In the event that the property owner(s) fails to maintain or replace the meter, meter pit and/or the appurtenances as required after written notice is received from the City, the City shall have the right to take the required action and assess the cost to the property owner(s).

92.09 RIGHT OF ENTRY. The Superintendent shall be permitted to enter the premises of any customer at any reasonable time to read, remove, or change a meter.

92.10 METER TO REMAIN WHERE INSTALLED.

1. The water meter shall remain at the address in which installed and shall remain in the same location as first installed unless the relocation is approved by the City. In the event the customer moves from the building, the meter remains with the building. If the building is demolished or moved from the lot, the meter shall be removed and returned to the City. If the building is moved to another location, the customer shall pay applicable meter fees for the new location.
2. Meter fees will also be charged for the new meter set at the previous location. This meter fee may be pro rated if the new meter is set within six months of the notice to the City to discontinue service.

3. Only employees of the City are authorized to remove meters. A resetting fee shall be assessed for removal of a meter without authorization.

92.11 METER INSTALLATION FEE. There shall be a fee charged to the property owner for each new installation, replacement or upgrade of a water meter or meter reading equipment installed outside the City limits.

92.12 METER TESTING. The Superintendent or any designee shall make a test of the accuracy of any water meter at any time when requested in writing. If it is found that such meter overruns to the extent of 4% or more, the cost of the test shall be paid by the City and a refund shall be made to the customer for overcharges collected since the last known date of accuracy, but not more than 4% of the total water bill and not for a longer period than 3 months. If the meter is found to be accurate or slow or less than 4% fast, the user shall pay for the removal of the meter and all testing fees.

92.13 SECOND WATER METERS. Each property owner in the City may have a second water meter installed to measure water that is used for watering lawns and gardens and not discharged into the sanitary sewer system. The fee for such meters shall be set by resolution. No sewer service charge shall be made for water so used. The Superintendent shall be permitted to complete an annual inspection of all second water meters.

92.14 SECOND WATER METER MINIMUM CHARGES. Each customer shall be billed a minimum monthly charge based on the size of the second meter at each location, as follows:

<u>Size of Meter</u>	<u>Minimum Monthly Charge</u>
5/8-inch or 5/8" x 3/4".....	\$ 3.00
3/4-inch	\$ 4.25
1-inch	\$ 6.00
1½-inch	\$ 8.25
2-inch	\$ 11.00
3-inch	\$ 14.25
4-inch	\$ 17.75
6-inch	\$ 21.25
8-inch	\$ 24.75
10-inch	\$ 28.25

92.15 METER FAILURES. In the event a water meter fails to register properly, the water charges for the monthly period involved shall be fixed on the basis of average water consumption measured by such meter for the preceding two monthly periods.

92.16 REMOTE READING DEVICE. All new water meter installations shall have a remote reading register placed on the outside of the building or residence. The remote register shall be located within three feet of the electric meter whenever possible. The customer or builder shall install a single 18/4 or two pairs 18/2 solid

core bell wire with plastic sheath from the water meter on the inside of the unit to the location of the remote register on the outside of the unit. One pair of wires is for the customer's master water meter, and the other is for the yard meter or other sub-meter arrangement. A minimum of three feet of excess wire shall be left at each end to allow connection to the water meter and installation of the remote register. The City will provide and install the remote register and connect the customer-installed wire.

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CHAPTER 93

WATER RATES

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93.01 SERVICE CHARGES. Each customer shall pay for water service provided by the City based upon use of water as determined by meters provided for in Chapter 92. Each location, building, premises or connection shall be considered a separate and distinct customer whether owned or controlled by the same person or not.

(Code of Iowa, Sec. 384.84)

93.02 RATES FOR SERVICE. Water service shall be furnished at the following monthly rates within the City:

(Code of Iowa, Sec. 384.84)

1. Basic User Fee – \$8.50 per month.
2. Usage Rate – \$3.50 per 1,000 gallons of water used per month.
3. Future Rates. On July 1, 2007, and on each consecutive July 1 through the year 2010, the rates shall automatically increase by the following amounts:
 - A. Basic user fee increase of 50 cents (\$.50) per year.
 - B. Usage rate increase of 16 cents (\$.16) per 1,000 gallons per year.

93.03 RATES OUTSIDE THE CITY. Water service shall be provided to any customer located outside the corporate limits of the City which the City has agreed to serve at rates set by resolution of the Council. No such customer, however, will be served unless the customer shall have signed a service contract agreeing to be bound by the ordinances, rules and regulations applying to water service established by the Council.

(Code of Iowa, Sec. 364.4 & 384.84)

93.04 BILLING FOR WATER SERVICE. Water service shall be billed as part of a combined service account, payable in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Bills Issued. The Clerk shall prepare and issue bills for combined service accounts on or about the 20th day of each month.
2. Bills Payable. Bills for combined service accounts shall be due and payable at the office of the Clerk by the 10th day of the following month.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A late payment penalty of \$5.00 shall be added to each delinquent

bill. If there is a second notice (which is a shut-off notice), an additional late payment penalty of \$5.00 shall be added.

93.05 SERVICE DISCONTINUED. Water service to delinquent customers shall be discontinued in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Notice. The Clerk shall notify each delinquent customer that service will be discontinued if payment of the combined service account, including late payment charges, is not received by the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance.
2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord.
3. Hearing. If a hearing is requested by noon of the day preceding the shut off, an official designated by the City shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. The customer has the right to appeal such official's decision to the Council, and if the Council finds that disconnection is justified, then such disconnection shall be made, unless payment has been received.
4. Fees. A fee of twenty-five dollars (\$25.00) shall be charged before service is restored to a delinquent customer. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

93.06 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for water service charges to the premises. Water service charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

(Code of Iowa, Sec. 384.84)

93.07 LIEN EXEMPTION. The lien for nonpayment shall not apply to a residential rental property where water service is separately metered and the rates or charges for the water service are paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential rental property and that the tenant is liable for the rates or charges. The City may require a deposit not exceeding the usual cost of ninety (90) days of water service be paid to the City. The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the rental property and the date of occupancy. A change in tenant shall require a new written notice to be given to the City within ten (10) business days of the change in tenant. When the tenant moves from the rental property, the City shall refund the deposit if the water service charges are paid in full. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within ten

business days of the completion of the change of ownership. The lien exemption does not apply to delinquent charges for repairs to a water service.

(Code of Iowa, Sec. 384.84)

93.08 LIEN NOTICE. A lien for delinquent water service charges shall not be certified to the County Treasurer unless prior written notice of intent to certify a lien is given to the customer. If the customer is a tenant and if the owner or landlord of the property has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than thirty (30) days prior to certification of the lien to the County Treasurer.

(Code of Iowa, Sec. 384.84)

93.09 TEMPORARY VACANCY. A property owner may request water service be temporarily discontinued and shut off at the curb valve when the property is expected to be vacant for an extended period of time. There shall be a \$25.00 fee collected for restoring service. During a period when service is temporarily discontinued as provided herein there shall be no minimum service charge. The City will not drain pipes or pull meters for temporary vacancies.

93.10 UTILITY DEPOSIT. There shall be required from every customer served a utility deposit, in an amount set by resolution of the Council, intended to guarantee the payment of bills for service. If within a twelve-month time period the customer has not been delinquent on paying any utility bill, the deposit will be refunded to the customer.

93.11 MULTIPLE SERVICES. Multiple dwellings, including mobile home parks and commercial or industrial premises with multiple tenants, may be served by one water meter, in which event the owner of such property shall be billed for and be responsible for payment of water charges for all water supplied through such meter. Charges will be based on water consumption and base rates for each unit.