

Bill No. 2022-03

Ordinance No. 2022-06-22

AN ORDINANCE TO REGULATE UTILITIES FOR THE CITY OF URICH, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF URICH, MISSOURI AS FOLLOWS:

SECTION 1: SUPERVISION

The Public Works Supervisor of the Municipal Utilities Department shall have general charge, supervision and control of the utilities owned and operated by the City.

SECTION 2: BILLING AND PAYMENT**a. Meters Read and Billed Monthly:**

The consumer shall pay the Municipal Utilities Department monthly for all water/sewer consumed as recorded by the register of the meter. Rates for such payment shall be in accordance with the effective ordinance establishing user charge. The city will review the user charge system each year and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the cost of operation and maintenance, to cover the cost of water purchased from Public Water Supply District #4 (PWSD #4), to provide funds to meet their requirements of the Bond Ordinances, including replacement, and that the system continues to provide for the proportional distribution of operation and maintenance and replacements costs among users. The city will notify each user at least annually, in conjunction with a regular bill, of the rate(s) being charged for water/sewer service. All bills shall be due and payable on the date such bills are rendered, at the Municipal Utilities Department office (City Hall) during regular hours of business. A fifteen (15) day period will be allowed for payment of bill. Failure to receive a bill rendered by the utility department shall not excuse the customer from his obligation to pay for water and/or sewer registered by the meter, including a late charge if applicable.

b. Penalty for Failure to Pay:

In the event any customer of utility services furnished by the City shall fail to pay bill within fifteen (15) days after the bill is rendered a late charge shall be added to the utility bill.

c. Disconnection for Nonpayment:

If any bill is not paid within twenty-five (25) days after the date such bill was rendered, the Municipal Utility Department shall have the right to discontinue service to the customer. A collection fee will be charged each time a Public Works employee has been sent to disconnect water service and the resident issue's payment prior to the actual disconnection of the service.

d. Reconnection after Disconnection:

In the event that utility service is disconnected for violation of rules or nonpayment of a bill, the customer shall have the right to have the same reconnected only upon the full payment of the amount due and payment of a reconnection fee. In addition, a deposit in an amount not less than the estimated maximum billing to that customer may be required of all residential customers. In no case shall the deposit required be less than one hundred dollars (\$100.00). Any deposit made by customers prior to the adoption of this ordinance shall be retained by the City as new deposits. No partial payment shall be accepted.

e. A sewer adjustment will be allowed for filling pools one (1) time per year. It will be the responsibility of the customer to notify the Municipal Utility Department within thirty (30) days of filling pool and the capacity of the pool. Also, to allow the charge of the city rate one (1) time per year per customer for water on an unknown water leak (i.e. a line has broken or frozen) and

adjust the sewer. The sewer adjustment will be from an average of the last twelve (12) months of water used.

f. **Discontinuance of Service:**

Utility service will be permanently discontinued at the customer's request when proper notification is made to the City. Charges for utility service rendered up to and including the time of cutoff shall become due and payable immediately.

g. **Returned Checks:**

The City is hereby authorized to impose an administrative fee on all checks returned to the City by any banking institution that remain unpaid.

SECTION 3: ESTIMATED BILLINGS.

If it is found that, during any period of time, a water meter has failed to register, the customer served through said meter shall be billed an estimated charge for the water used based on the usage during the past three months or by some other fair and equitable method.

SECTION 4: METERS.

- a. All water service except sprinkler systems and fire hydrants when used for fire services service shall be metered. No municipal utility services shall be furnished or rendered free of charge to any person, firm, or corporation other than the City itself. The size and the type of meter to be installed will be decided by the Public Works Supervisor of the Municipal Utility Department.
- b. One and only one water meter will be furnished by the City for each service connection from the City water main.
- c. Consumers are liable for all water registered by the meter whether used, wasted, or caused by leakage.

SECTION 5: TERMINATION OF SERVICE AUTHORIZED.

The City shall have the right to disconnect or refuse to connect or reconnect any utility service for the following reasons:

- a. Failure to meet the applicable provisions of City, County, State, or Federal law; such as the Missouri's Department of Natural Resources, Federal Environmental Protection Agency, Henry County Health Codes and City Ordinances pertaining to water and wastewater.
- b. Violation of the rules and regulations pertaining to utility service;
- c. Nonpayment of bills;
- d. Willful or negligent waste of service due to improper or imperfect pipes, fixtures, appliances, or otherwise;
- e. Molesting any meter, seal, or other equipment controlling or regulating the supply of utility service;
- f. Theft or diversion and/or use of service without payment;
- g. Vacancy of premises.

SECTION 6: LIABILITY OF CITY FOR DAMAGE.

The City shall not be liable for any damage of any customer of utility service furnished by the City due to back-flow of the sewerage system, failure of supply, interruption of service or any other cause outside the direct control of the City.

SECTION 7: RESTRICTING USE.

The City hereby reserves the right to at any time restrict or prevent the use of any utility service furnished by the City during periods of emergency or circumstances demanding such restriction or prevention of use.

SECTION 8: TEMPORARY INTERRUPTION OF SERVICE.

The City reserves the right to cut off any utility service without notice in case of emergencies. When an interruption in service is necessary for the maintenance and improvement of the utility system, affected customers will be notified as circumstances permit.

SECTION 9: APPLICATION REQUIRED FOR UTILITY SERVICE.

- a. Prior to receiving any municipal utility service, a written application for service shall be made to the City. Such application shall be considered a contract between the owner or occupant of the premises served and the City wherein the owner or occupant agrees to abide by the regulations and ordinances of the City of Urich as a condition of receiving any municipal utility service. If the owner or occupant received any municipal utility service without a written application being made to the City, such service is rendered at the convenience of the City and may be disconnected without notice for failure to make the required application. All contracts for municipal utility service shall be signed in the true name of the customer actually to receive and use such service, unless otherwise permitted by the City in its discretion. The name of the customer shall be the head of the household, even though the application is made by the spouse. Any change in the identity of the contracting customer at a premise shall require a new application. The City may discontinue any municipal utility service until such new application has been made and accepted by the City. A customer who has made application for any municipal utility service to a premises shall be held liable for all municipal utility service furnished to such premises pursuant to such application until such time as the customer properly notifies the City to discontinue the service for his account.
- b. The municipal utility service provided to each customer shall be for the sole use of such customer on the premises described in the application for utility service, and resale or sub-metering of any utility by such customer is prohibited. Sharing water service with another resident, via connection of a water hose from house-to-house is prohibited.
- c. The application for water service will be directed to the Public Works Supervisor of the Municipal Utilities Department who will carefully review the information and approve or disapprove any application any application if the water service would be in the opinion of the Public Works Supervisor create a health hazard or if the treatment of wastewater from the connection will not be treated and disposed of in a manner that will meet the requirements of the Environmental Protection Agency, Division of Health and Missouri Clean Water Commission.
- d. If application is made for temporary service, such as, for construction projects, etc., where regular service connections are not made as outlined in section 11, the customer shall pay, in addition to cost of water at regular rates, the cost of labor and material to connect services. Set the meter and remove same at the end of period.
- e. If the consumer desires a small amount of water where the rendering of such service requires the time of an employee of the Municipal Utility Department, the consumer will be charged a rate in keeping with the service rendered, but not less than four (4) time the scheduled meter rates.
- f. During regular office hours of the Municipal Utility Department Office, no charge shall be made for turning on water to any premise with a current water keg on the property for a new customer. If the customer desires to have the water turned on at some other time of the day or night or on Saturday or Sunday, additional charges will be assessed.

- g. Water service will not be turned on unless some person is present on the premise to represent the owner or tenant to inspect the plumbing for open faucets or leaks.

SECTION 10: DEPOSITS.

- a. A cash deposit equivalent to an estimated two (2) month's billing shall be required of all commercial and industrial customers, except where the applying individual, firm, or corporation hold legal title to the property for which utility service is provided and has established an acceptable credit rating.
- b. A cash deposit for water and sewer service shall be required for all other than owner occupied service connections as specified in the effective ordinance establishing user charge. Without an approved deposit, bills rendered for water and sewer usage on other than owner occupied property will be mailed only to the owners of the property. Bills will be sent to occupants of the other than owner occupied property only after the payment of the approved deposit. Deposits can be made in two (2) payments. First payment must consist of 50% of deposit required and is due at service is connected. The remaining deposit required will be due within thirty (30) days. If payment is not made by due date, the Municipal Utility Department has the right to disconnect service without notice.
- c. Deposits for other than owner occupied service connections, both commercial/industrial or residential, can be waived if the owner of record will sign approving such waiver.
- d. Proof of ownership must be brought to Municipal Utility Department by consumer to avoid the approved deposit. Consumer must have Warranty Deed or is owner of Record at Recorder of Deeds as proof of ownership. Customers that buy property by Contract for Deed are not considered owners of property until they have a Warranty Deed.

SECTION 11: REFUND OF DEPOSIT.

- a. Ownership of Property. Deposits shall be refunded to the customer upon providing proof of ownership to Municipal Utility Department. Proof of ownership must be Warranty deed or be owner of Record at Recorder of Deeds.
- b. Upon proof of ownership, the deposit will be refunded.
- c. Other than owner occupied customers shall be refunded to the customer upon termination of service provided all utility service bills are paid to the of termination. The City may apply any deposit of a customer against any bill in the customer's name with an unpaid balance at the termination of service.

SECTION 12: SERVICE CONNECTIONS.

- a. Any person, firm or corporation desiring to obtain a water service connection from the municipal distribution system shall make application on forms furnished by the Municipal Utility Department, said application must be approved by the Public Works Supervisor of the Municipal Utility Department or his office.
- b. The service connection shall include the tap, installing the corporation stop at the water main, the tubing or pipe to the meter, the meter and box and shutoff and appurtenances. The meter box shall be installed by the Municipal Utility Department and located at the curb or inside the property line at such point as shall be suitable to the City, but the expense of installation shall be paid by the property owner. Provided that a water main is located in the street adjacent to said property, installation charge for 5/8' X 3/4" meter and service line to customers property line shall be in accordance with current user charge ordinance. If water main is not adjacent to property an additional amount shall be required. The fee for installation shall be paid before connection is made. No service connection shall be smaller than 3/4'.

- c. All other services requiring meters one inch or larger will be installed by the Municipal Utility Department and all cost shall be recorded and the customer shall pay the full cost of the installation. The customer shall pay an estimated cost of larger meter connections before any work is performed.
- d. After installation, the service meter shall become the property of the municipality and shall be maintained by the Municipal Utility Department, provided however, that the meter and service shall remain with the property and no tenant or subsequent owner shall be charged or billed for the replacement or repair of the meter or service.
- e. The premise shall have a separate and distinct service connection. In this case “premise” shall be construed as one dwelling unity, building, or commercial or factory unit and appurtenant building. No customer of premise shall extend or permit the extension of pipes for the purpose of transferring water from one property to another, nor will he share, resell, or sub-meter water to any consumer.
- f. Multiple dwelling units located in one building may be served from one meter; “where the installation of separate meters is impractical, based upon the Public Works Supervisor opinion.” In this case, the municipality will contract only with the owner or his agent. One and only one water meter will be furnished by the Municipal Utility Department for each service connection from the city water main.
- g. Any consumer or property owner desiring to alter or change a service line or lines from the city water mains into his or her premises, must first make a written application on the form furnished by the Municipal Utility Department stating fully the purpose for which the alteration or change is desired. Any such alterations shall be made by the Municipal Utility Department at the expense of the customer or property owner.
- h. Each customer shall have installed a stop and waste valve for turning off water on the premises. The stopcock in the meter well shall not be operated by any person other than authorized personnel of the Municipal Utility Department without permission. No connection or disconnection to the service either temporary or permanent, may be made without specific authority of the superintendent of the Municipal Utility Department.
- i. Should it become necessary for the Municipal Utility Department to locate (search for and find), change the elevation accessible at all times, or repair any damages, by lack of ordinary care on the part of the consumer, the expenses incurred shall be the responsibility of the property owner and shall be paid on actual cost plus 10% basis.

SECTION 13: ACCESS TO PROPERTY.

Only duly authorized employees of said City bearing identification shall, at all reasonable times, be permitted to enter upon all properties for the purposes of installation, maintenance, inspection, measurements, sampling and testing, or any other reason having to do with the operation of the Municipal Utility Department.

SECTION 14: DAMAGE, TRESPASS OF EQUIPMENT.

It shall be unlawful for any person, not having authority to do so, to open any water hydrant or tamper with any utility service furnished by the City to consumers, or to any other way molest, damage, or trespass upon any equipment or premises belonging to the city connected with any utility service.

SECTION 15: SALE OF SERVICE BY CUSTOMER.

It shall be unlawful for any person to resell any utility service obtained from the City to others except only special arrangement with the Board of Aldermen.

SECTION 16: UNLAWFUL CONNECTIONS.

It shall be unlawful to make any connection in any manner to any utility system provided by the City of Urich or sub-utility system without the prior knowledge and consent of the authorized personnel of the City of Urich. Any person, contractor, or owner of property that make such unlawful connections shall be deemed guilty of a misdemeanor.

SECTION 17: UNLAWFUL USE.

No person, other than employees or contractors hired by the City of Urich shall be authorized to connect, turn on, turn off, or disconnect any utility service offered by the City, or remove, replace, or repair any equipment connected to any such utility service.

SECTION 18: CANCELLATION OF CONFLICTING ORDINANCES.

That all ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed including Ordinance #990712.

SECTION 19: EFFECTIVE IMMEDIATELY.

That this ordinance shall become effective immediately upon its passage and approval.

Passed by the Board of Aldermen of Urich, Missouri, this _____ day of _____, 2022.

Mr. Aaron Keeney
Mr. Bill Harbstreet

Yeah/Nay
Yeah/Nay

Ms. Barbara Puckett
Ms. Pam Charles

Yeah/Nay
Yeah/Nay

Randy Vogt, Mayor

ATTEST:

Darla J. Conner, City Clerk