

CHAPTER 8 – WATER AND WASTEWATER

Article 1 – Definitions

[Revisor’s Note: to align the code with the State of Alaska verbiage all references to “sewer” will be changed to “wastewater” in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.105 Definitions

Unless the context requires otherwise, the following definitions apply to this chapter:

- (a) “Applicant” – and individual, firm, corporation, or agent of any individual, firm or corporation applying for water or wastewater service.
- (b) “Application” – the form prescribed by the Commissioner whereby a customer requests City water or wastewater services or both, as described at Section 8.310.
- (c) “City” – the Municipality of Nenana, Alaska, its agents, and employees, and, where the context so requires, the Municipal Assembly.
- (d) “Commercial use” – any use of premises other than as residential or multi-family dwelling premises;
- (e) “Commissioner” – the Commissioner of the Municipality of Nenana water and wastewater service system, his authorized agents, and employees, as appointed under Section 8.210.
- (f) “Contract” – the contract for water and wastewater service between a customer and the City, which shall incorporate by reference Chapter 8 of the Code of Ordinances of the City and rules and regulations issued thereunder.
- (g) “Customer” – an individual, firm or corporation whose application has been approved and who has entered into a contract.
- (h) “Customer service line” – water and wastewater service lines between water and wastewater mains and improvements.
- (i) “Multi-family dwelling” – a building or connected buildings occupied by two or more families, including apartment houses, apartment hotels, flats, and dwellings occupied or used by more than one head of household; any use of premises as a dwelling space that is not residential.
- (j) “Permit” – written authorization from the Commissioner, up on a form and under such conditions as he may prescribe, allowing a customer to connect premises to the city water and wastewater system, or modify or disconnect a connection between premises and the system.
- (k) “Premises” – a lot a parcel of land with improvements upon it;
- (l) “Residential use” – a building occupied by one family;
- (m) “Wastewater main or main” – the pipe, usually a minimum of 8” diameter, installed in a street, road, alley, or easements running approximately parallel to that street, road alley or easement for the collection of wastewater;
- (n) “Unit” – each portion of a multi-family dwelling, or other structure intended for temporary or permanent use;

- (o) "Water main or main" – the pipe, usually a minimum of 4" in diameter, installed in a street, road, alley, or easement running approximately parallel to the street, road, alley, or easement, for the distribution;
- (p) "Wastewater pump company" – any person who removes or transports wastewater or other liquids and solids regulated by this chapter.

[Revisor's Note: The following definitions were deleted (c) "Automobile camp" – land or premises where a space or spaces are reserved for occupancy by automobiles, trailers, campers, or recreational vehicles on a temporary bases; (d) "Campground" – a facility providing overnight camping spaces for persons on a temporary basis. (k) "Mobile home park" – land or premises used for occupancy by trailers, mobile homes and modular structures designed to be built at one location and transported to another site for occupancy, (s) "Hotel or Motel" – transient housing customarily occupied on a day-to-day basis for periods of thirty days or less; (t) "Laundromat" – any facility offering coin-operated, water using devices to the public at large; the term does not include coin-operated, water using devises available in a multi-family swelling only to persons residing in the building; (u) "Coin-Operated operated water using device" – a washing machine, shower, car wash or similar item or service, characterized by use of water or sewer service and payment by time of service; (v) "Restaurant" – any facility regularly furnishing food or beverages for consumption of the premises, including a facility that is also a restaurant under this chapter; (w) "Bar" – any facility licensed to dispense alcoholic beverages for consumption on the premises, including a facility that is also a restaurant under this chapter; (y) "Day care center" – any facility offering to keep and supervise more than five children not members of the family of owner, including foster home; (z) "Space" – a site at a campground or automobile camp designated for use as a camping site; (aa) "School" – a place whose principal use is the education or training of persons, whether owned or operated by private or public persons.

The following definitions were amended. (o) "Residential use" – a detached building containing only one kitchen and occupied by one family and one head of household exclusively; (q) "Unit" – each portion of a hotel, motel, multi-family dwelling, or other structure intended for temporary or permanent use as a dwelling place by a family or head of household; (x) "Sewage pump company" – any person who removes or transports sewage, wastewater or other liquids and solids regulated by this chapter. All changes were made in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

CHAPTER 8 - WATER & WASTEWATER

Article 2 - Administration

Section 8.210 Supervision of Water and Wastewater System

Supervision and administration of the City of Nenana Water and Wastewater System shall be in the Commissioner of the Water and Wastewater System, referred to in this chapter as the Commissioner.

Section 8.215 Appointment of Commissioner

The Commissioner shall be appointed by the Mayor to serve at the pleasure of the Mayor. Appointment shall be subject to majority approval of the City Assembly.

Section 8.220 Authority of Commissioner

The commissioner shall have authority to issue rules and regulations governing installation, use and maintenance of the water and wastewater system, except that those rules and regulations may not:

- (a) Modify the rate structure for water and wastewater services set by the City Assembly;
- (b) Modify the service connection charges set by the City Assembly; or
- (c) Contradict ordinances of the City Assembly

Section 8.225 Issuance of Rules and Regulations

The Commissioner shall issue rules and regulations by posting proposed rules and regulations in three public places in the City of Nenana and serving copies on the City Clerk and the Mayor. Sixty days after such posting and service, those rules and regulations shall be voted upon by the City Assembly and if approved by a majority of the City Assembly, shall become effective until rescinded by a majority of the City Assembly.

The Commissioner shall have such additional authority as may be conferred by these ordinances.

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Article 3 - Connection of Service

Section 8.310 Application for Water Distribution or Wastewater Collection Service

Any property owner in the City of Nenana whose property is served by City water or wastewater collection service shall apply for water or wastewater service by completing an application on a form prescribed by the Commissioner and pay the \$50.00 application fee. That application shall contain a legal description of the premises to be served, the kind of service desired, and other relevant information as required.

[Revisor's Note: Section 8.310 was amended to add an application fee, and to remove "the uses of the service the applicant anticipates" in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.315 Conditions to Acceptance of Application

Unless the commissioner or the City Assembly directs otherwise before accepting an application for water or wastewater service, the applicant is required:

- (a) To pay a service connection fee of \$400.00 for the tie-in to the Water Distribution System and/or \$400.00 for the tie-in to the Wastewater Collection Systems.
- (b) To sign a utility contract for the service for which application is made; and
- (c) To pay in full all previous indebtedness to the Nenana Municipal Utility.

The contract shall be signed by all persons having ownership of record on the property. No connection to water or wastewater service will be performed between November 1 - May 1 except on such additional conditions as the Commissioner may impose.

[Reviser's Note: Section 8.315 (a) was amended as to combine water and sewer service connection fee by adoption of Ordinance 94-09 on 1/12/95. Effective date of this amendment was 3/1/95.]

[Revisor's Note: Section 8.315 was amended from "Unless the commissioner or the City Assembly directs otherwise before accepting an application for water or sewer service, the applicant is required: (a) To pay a service connection fee for each combined water and sewer service connection of \$400.00. (b) To sign a utility contract for the service for which application is made; and (c) To pay in full all previous indebtedness to the City of Nenana. The application shall be signed by all persons having ownership of record on the property. No applications for water or sewer service will be accepted between November 1 - May 1 except on such additional conditions as the Commissioner may impose. In accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.320 Installation and Inspection

- (a) The Commissioner may, before authorizing the connection of any premises to the water and wastewater system, require the piping, fixtures and appliances on those premises be carefully inspected to determine that they are in a satisfactory condition, and require unsatisfactory piping, fixtures and appliances be corrected.
- (b) Authorization to make connection shall consist of issuance by the Commissioner of a water or wastewater permit. A person obtaining a water or wastewater permit shall have five days from commencement of work to complete the connection and notify the Commissioner that the connection is ready for inspection. Where an applicant requires more than five days to complete a connection and a street alley or right-of-way is obstructed or partially obstructed as a result, the applicant shall be assessed a penalty of \$20.00 for each additional three-day period that the obstruction continues.
- (c) Before burial of a connection, the Commissioner shall inspect the connection to determine that it meets the requirements of these ordinances and the rules and regulations issued by the Commissioner. The applicant shall obtain the written approval of the Commissioner of the connection upon the permit before burying the connection.
- (d) Where the connection requires burial in a street, alley or right-of-way, the applicant shall restore the street, alley, or right-of-way to substantially the same conditions and to the approval of the Commissioner.
- (e) Neither water nor wastewater service usage shall be allowed until the commissioner has given this written approval of the connection on the permit.

Section 8.325 Mandatory Connections

Whenever and wherever water or wastewater mains are available alongside of or adjacent to occupied premises the owner of the premises shall be required, at his expense, to connect with those water and wastewater mains. Where the owner of property has failed to connect with available water and wastewater mains sixty days after written notice that he must do so, the Commissioner may cause the connection to be made by the City and assess the cost of the connection against the owner of the property as an additional fee under Article 5.

Section 8.330 Standards for Connections

The Commissioner shall issue rules and regulations establishing the size and kind of hook-up, the quality of workmanship and materials required, shut-off valves and clean-outs, installation of water meters (where required) and other matters, except that rules and regulations issued under authority of this Section may not be more stringent than the 1976 Uniform Plumbing Code, with Municipality of Anchorage amendments, except as may be dictated by special considerations of the local environment.

CHAPTER 8 - WATER & WASTEWATER

Article 4 – Water and Wastewater System Use

Section 8.140 Cross-Connection Prohibited

A cross-connection is defined as a physical connection between the City of Nenana water system and any other source. The U.S. Public Health Service prohibits cross-connections. The City of Nenana will not permit cross-connections and will discontinue service to any person or premises where a cross-connection exists. Service shall not be restored until the cross-connection is eliminated. The Commissioner may cause the cross-connection to be severed and assess the costs against the owner of the property as an additional fee under Article 6.

Section 8.415 Service Preference

In the case of shortage of supply or limitations on equipment capacity the City of Nenana reserves the right to give preferences in the matter of furnishing water and wastewater service to customers on the basis of public convenience or necessity. Water and wastewater service to users outside the City Limits shall at all times be subject to the prior and superior rights of customers within the City Limits.

Section 8.420 Service Availability

Water and wastewater service will be made available to those applicants whose property is adjacent to existing water and wastewater lines, or extensions thereto, provided that it is determined by the City of Nenana that such service will not jeopardize service to existing customers and not in any way impair the functions of the water or wastewater system. The granting and continuance of all water and wastewater service shall be the sole responsibility of the City of Nenana. Service to applicants or consumers who are delinquent in payment of their utility bills or who fail to comply with these ordinance or regulations issued by the Commissioner shall be discontinued.

Section 8.425 Emergency Repairs

Water and wastewater services may be shut off at any time for emergency repairs, extensions, or other necessary purposes. The City shall give reasonable notice whenever feasible. In the event of a shut-off under this section, the City shall not be liable for any loss or damage, direct, indirect, or consequential, caused by the shut-off.

Section 8.430 Resale of Service

Resale of water or wastewater services shall be permitted only under a special written contract between the City and the customer desiring to resell water or wastewater services.

Section 8.435 Excessive Consumption or Usage

Where water is wastefully or negligently used on a customer's premises, or where excessive demand on the water or wastewater system by one customer results in inadequate service to others, the City may discontinue service when the problem is not corrected after due notice to the customer by the city.

Section 8.440 Fraud or Abuse

The City will refuse or discontinue service to any premises when it is deemed necessary to protect the City water and wastewater system from fraud or abuse. Discontinuance for either cause may be made by the City immediately upon its receipt of knowledge of the circumstances.

Section 8.445 Unauthorized Turn-on or Connection

Where water or wastewater service has been discontinued by the City for any reason and water or wastewater service is turned on or reconnected by the customer or any other unauthorized person, or where a connection is made except as permitted in Article 2, the services to the customer may be interrupted at the main. The charges for interrupting service at the main shall be computed at actual cost to the City plus ten percent (10%) overhead. Such charges may be assessed against the customer as an additional fee under Article 5.

[Revisor's Note: Section 8.445 amended sewer to wastewater and added the numerical listing of the 10% overhead in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.450 Interruption Not Breach of Contract

Failure or interruptions of service for any reasonable period of time shall not constitute a breach of contract or warranty on the part of the City or in any way relieve the customer from performing his obligations under the contract, ordinances, or rules and regulations.

Section 8.455 Service Line Maintenance Responsibility

The customer water and wastewater service lines shall be kept in repair by the owner and occupant of the premises, who shall be responsible for all breaks in those lines and damages arising incidentally from those breaks, other than those caused by acts of the City. In the case of frozen water or wastewater service, the customer shall be responsible for thawing the service line from the main to the improvements on the premises, unless the freezing condition can subsequently be shown to have been a result of malfunction of the City's water and wastewater system beyond the control of the customer.

Section 4.460 Effective Date

All contracts shall take effect on the day they are signed, and rates will be charged and bills rendered for water and wastewater service from the date the premises are connected with the City water or wastewater system.

Section 8.465 Water Quality

The City of Nenana will provide the highest quality of water commercially and economically feasible. The City of Nenana will not be liable for direct, indirect, or consequential damages incurred by any customer or other person when water quality, for any reason, is substandard, except where the damages are the immediate result of an intentional act by the City.

Section 8.470 Special Restrictions on Wastewater Usage

Neither the applicant nor any occupant of the premises receiving wastewater service shall discharge or allow to be discharged into the wastewater system any storm water, surface water, roof runoff, or industrial process water, nor shall they discharge into the wastewater system any wastes containing any of the following substances:

- (1) Petroleum, coal tar, vegetable and mineral oils and products, their derivatives and wastes;
- (2) Greases, oils and sludge's from service stations, garages, repair shops, machine shops, cleaning establishments, or other industrial products.
- (3) Explosive or flammable liquids or gases;
- (4) Acids, alkaline, or other corrosive liquids, gases, or substances of sufficient strength to damage components of the wastewater system.
- (5) Paints or paint products;
- (6) Substances which will form deposits or obstructions in wastewater or which, when mixed with wastewater, will precipitate material that blocks or obstructs wastewater mains;
- (7) Ashes, cinders, sand, earth, coal, rubbish, or metals of any kind;
- (8) Live steam, exhaust steam, or water having a temperature above 169o F; or
- (9) Stable and barn manure, offal from slaughterhouses, dead animals, or dead animal parts.

CHAPTER 8 – WATER & WASTEWATER

Article 5 – Water & Wastewater Service Rates

[Reviser’s Note: Section 5 of Chapter 8 was amended by adoption of Ordinance 84-04 on September 12, 1984. The rates of metered service were amended by Resolution 88-04 adopted February 11, 1988.]

[Reviser’s Notes: Section 8.510, 8.515, 8.520, 8.530, 8.535, 8.540, 8.545 (rates for water & sewer service) of the Nenana Code of Ordinance 2012-02 on 6/13/12.]

Section 8.500 Setting the Water and Wastewater Service Rate

Water and Wastewater service rates shall be increased on a 2% annual escalation and subject to bi-annual review in February, beginning 2026, by the City Council and Utility Commissioner. The Council shall meet to determine and set the rate whether to hold or continue the escalation bi-annually. The new rate is to be implemented July 1st of that same year.

[Revisor’s Note: Section 8.500 was added in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.510 Residential Water Service Availability Fee

A service availability fee will be charged monthly to each residential connection at a rate of \$13.00 whether the water is on standby or not.

[Revisor’s Note: Section 8.510 was added in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.515 Residential Water Rates

Residential use of the water distribution system as defined in Article 1, shall be unmetered and, except where the Commissioner identifies excessive water use, shall be charged to customers at a flat monthly rate of \$43.25.

If the Commissioner identifies commercial water use at a residential connection, use of the water distribution system shall be metered and charged at the commercial water rates set forth in Section 8.525.

[Reviser’s Note: Section 8.510 was amended to a \$56.25 rate per month from \$37.50 by adoption of Ordinance 2019-05 on 8/12/2019]

[Revisor’s Note: Section 8.510 was amended to 8.515 and to a \$43.25 rate per month from \$56.25, “excessive residential” was changed to “commercial” and “at a residential connection” was added, the final section reference was changed from 8.515 to 8.525 in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.520 Commercial Water Service Availability Fee

A service availability fee will be charged monthly to each commercial connection at a rate of \$27.50 whether the water is on standby or not.

[Revisor's Note: Section 8.520 was added in accordance with Ordinance 2024-05 adopted 8/13/2024.]

Section 8.525 Commercial Water Rates

Commercial use of the water distribution system, as defined in Article 1, shall be metered, except where the Commissioner determines a meter to be unnecessary. Commercial use of water shall be charged at a rate of \$.0095 per gallon (\$9.50 per 1,000 gallons). Until the commercial connection is metered the owner shall be charged at the flat monthly rate of \$48.00.

Commercial accounts that have a water service line of 1 ½ inches in diameter or larger may have a special modified rate subject to the discretion of the Assembly.

[Revisor's Note: Section 8.515 was amended to 8.525 and "Commercial use of the water service system, as defined in Article 1 shall be metered, except where the Commissioner determines a meter to be unnecessary and shall be charged at a rate of \$5.78 per 1,000 gallons, subject to a minimum of \$56.25 per month. Unmetered commercial use of the water service system shall be charged at the flat monthly rate of \$56.25." was amended in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.530 Multi-Family Dwelling Water Rates

Owners of multi-family dwelling units with two or more units on a single water service shall be required to elect either metered or unmetered water service. If the owner elects unmetered water service, he shall be charged the residential rate per unit. If the owner elects metered water service, he shall have one meter for the entire multi-family building and shall pay all costs associated with the installation of the meter and shall be charged for water service at commercial water rates set forth in Section 8.525.

[Reviser's Note: Section 8.520 was amended to a \$56.25 rate per month from \$37.50 by adoption of Ordinance 2019-05 on 8/12/2019]

[Revisor's Note: Section 8.520 was amended to 8.530, the numerical rate was removed and "the residential rate" was added, "one meter installed for each unit or by special written request by the owner at time of application of water service" was removed, of "each" meter was changed to of "the" meter, and the section reference at the end was changed from 8.515 to 8.525 in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.523 Standby Water Rate

Reference Sections 8.510 and 8.520.

[Revisor's Note: Section 8.523 was amended to a standby rate of 0% from 50% by adoption of Ordinance 98-01 on 2/12/98]

[Revisor's Note: Section 8.523 "A Standby Rate of 0% of the applicable water service rate be established for any account that will have suspended use of the service for 60 days or more. To establish the standby rate the customer must make a request in advance to the utility on forms provided by the utility." was removed in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.525 Water Meter Rental

[Revisor's Note: Section 8.525 "All owners and customers required to have meters and all owners and customers electing to have meters shall pay a monthly meter rental equal to the actual cost of the meter amortized over the estimated life of the meter, as calculated by the Commissioner. The actual cost of the meter shall include debt service, if applicable." Was deleted in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.527 Fire Hydrants

The Municipality of Nenana, Alaska Fire Department shall pay \$82.50 per fire hydrant per year for the availability of water to each fire hydrant.

[Revisor's Note: Section 8.527 was amended to a rate of \$82.50 from \$55.00 per fire hydrant by adoption of Ordinance 2019-05 on 8/12/2019]

Section 8.529 Residential Wastewater Service Availability Fee

A service availability fee will be charged monthly to each residential connection at a rate of \$13.00 whether the wastewater is on standby or not.

[Revisor's Note: Section 8.529 was added in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.530 Residential Wastewater Rates.

Residential users of the wastewater collection system shall be charged a wastewater service rate equal to the monthly water service charge.

[Revisor's Note: Section 8.530 was amended to a \$56.25 flat monthly rate by adoption of Ordinance 2019-05 on 8/12/2019]

[Revisor's Note: Section 8.530's title was changed from "sewer" to "wastewater" and "Residential users of the sewer service system, with unmetered water service, shall be charged at a flat monthly rate of \$56.25. Residential users of the sewer service system, with metered water service, shall be charged at the commercial sewer service rates set forth in Section 8.535" was deleted in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.533 Commercial Wastewater Service Availability Fee

A service availability fee will be charged monthly to each commercial connection at a rate of \$27.50 whether on standby or not.

[Revisor's Note: Section 8.533 was added in accordance with Ordinance 2024-05 adopted 8/13/2024.]

Section 8.535 Commercial Wastewater Service

Commercial users of the wastewater collection system shall be charged a wastewater service rate equal to the monthly water service charge.

Where a commercial user has a water source other than City water service, and water from the source is discharged into the City's wastewater system, the Commissioner may adjust wastewater service rates according to the estimated additional usage.

[Revisor's Note: Section 8.535 was amended to a rate of \$5.78 from \$3.85 per 1,000 gallons subject to a minimum charge of \$56.25 from \$37.50 per month, per unit. Commercial users of the sewer service system with unmetered water service shall be charged at a flat monthly rate of \$56.25. by adoption of Ordinance 2019-05 on 8/12/2019]

[Revisor's Note: Section 8.535 title was changed from "sewer" to "wastewater" and "Commercial users of the sewer service system, with metered water service, shall be charged at a rate of \$5.78 per 1,000 gallons subject to a minimum charge of \$56.25 per month, per unit. Commercial users of the sewer service system with unmetered water service shall be charged at a flat monthly rate of \$56.25." was amended in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.540 Multi-Family Dwelling Wastewater Rates

Multi-Family Dwelling users of the wastewater collection system shall be charged a wastewater service rate equal to the monthly water service charge.

[Revisor's Note: Section 8.540 was amended to a \$56.25 from 37.50 flat monthly rate per unit from \$37.50 and a commercial sewer service rate of \$5.78 from \$3.85 per 1,000 gallons subject to minimum of \$56.25 from \$37.50 by adoption of Ordinance 2019-05 on 8/12/2019]

[Revisor's Note: Section 8.540's title was changed from "sewer" to "wastewater" and "Owners of multi-family dwelling units with unmetered water service shall be charged a monthly rate of \$56.25 per unit for use of the sewer service system. Owners of multi-family dwellings with metered water service shall be charged at the commercial sewer service rate of \$5.78 per 1,000 gallons subject to a minimum of \$56.25 per month per unit." was amended in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.542 Standby Wastewater Rate

Reference Section 8.529 and 8.533.

[Revisor's Note: Section 8.543's title was changed from "sewer" to "wastewater" and "A standby rate of 0% of the applicable sewer service rate may be established for any account that will have suspended use of the service for 60 days or more. To establish the standby rate the customer must make a request, in advance, to the utility on forms provided by the utility." was amended in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.545 Special Commercial Water and Wastewater Rates

Public Charities and Churches as registered with the IRS shall be charged at the residential rate for water and wastewater.

[Revisor's Note: Section 8.545 was amended to (a) \$70.28 from \$46.85 and \$11.03 from \$7.35 per space, (b) \$393.75 from \$262.60, (c) \$225 from \$150.00, (d) \$42.26 from 28.15, (e) 98.40 from \$65.60, (f) \$98.40 from \$65.60, (g) \$394.50 from \$263.00, (h) \$703.13 from \$468.75, (i) \$1,687.50 from \$1,125.00 and \$843.75 from \$562.50, (j) \$112.50 from \$75.00 by adoption of Ordinance 2019-05 on 8/12/2019]

[Revisor's Note: Section 8.545 was amended to \$5.78 from \$3.85 per gallon for use of the water and sewer system. By adoption of Ordinance 2019-05 on 8/12/2019]

[Revisor's Note: Section 8.545 "The section on public charities and churches was added and "The following special commercial uses of the water ~~and sewer~~ service system shall be metered at the rate of \$5.78 per 1,000 gallons. The sewer service system rate shall be charged at \$5.78 per 1000 gallons of metered water. (The sewer system charge will match the water system charge.) charged at the monthly rates set out below (unless elected to be metered):

(a) RV campgrounds	\$70.28 plus \$11.03 per space
(b) bar	\$393.75
(c) daycare centers	\$225.00
(d) hotel and motel	\$42.26 per unit
(e) Laundromat	\$98.40 per water using device
(f) mobile home park	\$98.40 plus \$112.50 per space
(g) restaurant	\$394.50

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| (h) Each grade and high | \$703.13 per operating month |
| School facilities | \$394.95 |
| (i) school gymnasium | \$1,687.50 per non-operating month |
| school gymnasium | \$843.75 per operating month |
| (j) other commercial use | \$112.50 per month |

Any of the special commercial users designated in (a) – (j), above may elect to be metered at the rate of \$5.78 per 1,000 gallons for use of the water service system and \$5.78 per 1,000 gallons for use of the sewer service system.” was deleted in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.550 Additional Fees

The rates set out in this Article are monthly service charges. Additional fees assessable under this chapter are to be added to those monthly service charges and are payable as monthly service charges unless other arrangements are made with the Commissioner. The rates, charges, and fees do not include taxes, which must be paid in addition to the rates, charges, and fees.

Section 8.555 Payment of Bills

Billings shall be made monthly. If bills are paid one year in advance the property owner will receive one month free. Each bill rendered shall contain the final date on which payment is due. If the bill is not paid when due, the account shall be considered delinquent unless other arrangements have been made in writing with the Commissioner before the due date. If any bill for municipal water, wastewater, or other utility service is not paid when due, the entire amount of the unpaid balance shall bear interest at ten- and one-half percent (10.5) per annum from the due date until paid in full. All payments received shall be applied first to the payment of interest if any, and then to the payment of principal. Interest shall accrue on all unpaid principal amounts.

[Reviser’s Note – Section 8.555 was amended by adoption of Ordinance 89-03, 2/8/89, by additional of an interest charge on delinquent bills.]

[Revisor’s Note: Section 8.555 added “if bills are paid one year in advance the property owner will receive one month free.” In accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.560 Responsibility for Payment

All persons receiving water or wastewater service from the City or having such service available shall be obligated to pay for such service as set out in the appropriate rate schedule. In the case of a landlord-tenant relationship, the landlord shall be liable for all billings. Failure to receive a utility bill shall not relieve the customer of responsibility for payment.

Section 8.565 Disputed Billings

When a customer disputes the correctness of a bill, he shall deposit the amount of the disputed bill at the time the complaint is lodged pending final settlement of the bill. Failure to make such a deposit shall make that customer delinquent.

Section 8.570 Termination of Service

Each customer about to vacate any premises receiving water or wastewater service from the City shall give the Commissioner written notice at least ten days prior to the proposed vacancy date, specifying the date service is to be disconnected. The disconnect fee shall be a flat rate fee of \$250.00. If a customer fails to give such notice, he will be responsible for all water and wastewater charges until the City receives actual notice of such removal. The customer shall pay his bill in full not later than the date of his/her departure.

[Revisor's Note: Section 8.575 was swapped with 8.570. The title was changed to 8.570 and "The disconnect fee shall be a flat rate fee of \$250.00." was added in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

Section 8.575 Reconnect, Disconnect and Service Charges

Charges shall be assessed against any customer whose water and wastewater service is disconnected, reconnected, or requires (service) maintenance, where that (service) maintenance is not required because of the negligence of the utility, charges shall be assessed at actual cost to the utility plus ten percent overhead and billing expense, except in the instance where the property owner is vacating the property of the improvement to which service is provided. In this instance, reference Section 8.570. All such charges shall be an additional fee under this Chapter.

[Revisor's Note: Section 8.570 was amended as follows by adoption of Ordinance 86-01 on February 13, 1986.]

[Revisor's Note: Section 8.570 was swapped with 8.575. The title was changed to 8.575, "reference Section 8.570. was add and "the disconnect fee shall be a flat rate fee of \$170.00." was deleted in accordance with Ordinance 2024-05 adopted 8/13/2024 to become effective 1/1/2025.]

CHAPTER 8 – WATER & WASTEWATER

Article 6 – Remedies and Violations

Section 8.610 Non-Payment of Bills

A Customer's water and wastewater service may be discontinued if charges are not paid as required by these ordinances and any rules and regulations issued under them.

Section 8.615 Delinquent Accounts

The Commissioner shall, before discontinuing service to a customer with a delinquent account, do the following:

- (1) On or about ten (10) days after the account becomes delinquent, mail or deliver a notice to the customer that the account is delinquent;
- (2) On or about 25 (25) days after the account becomes delinquent, mail or deliver a Notice of Intent to Disconnect Service. The Notice shall state the date service will be terminated if the account is not brought current before that date. The notice shall not state a disconnect date less than five days from the date it is mailed or delivered;
- (3) The day before the disconnect date, an agent of the duty shall deliver a written notice to the customer stating water or wastewater service or both are being turned off until all delinquent accounts have been paid in full. Delivery of the notice to the premises is delivery to the customer.