

## **ARTICLE 1. WATER**

- 17-101.        **WATER SUPERINTENDENT.** The management of the municipal waterworks system shall be under the control and supervision of the city water superintendent subject to the direction of the director of public works. (Ord. 739)
- 17-102.        **SAME; GENERAL DUTIES.** The water superintendent shall have supervision over, and the management and control of the water mains, pumping plant, fire hydrants, appurtenances and all other appliances and material making up the waterworks system of the city, and shall perform any other duties devolving upon him or her. He or she shall report to the director of public works, the physical and operating status of the waterworks system. The water superintendent shall, with the approval of the director of public works employ such persons as are necessary for the efficient operation of the water system and to make such repairs from time to time and shall purchase such material as may be needed for the proper maintenance and operation of the system. (Ord. 739)
- 17-103.        **WATER TO BE METERED.** All water furnished by the municipal water system of the city shall be measured by the meters. (Ord. 739)
- 17-104.        **CONNECTIONS, CHARGES.** Any person, firm or corporation desiring initial meter installation with the municipal water system shall apply in writing to the city. Charges for such services shall be the actual cost to the city including all labor. (Ord. 739)
- 17-106.        **LICENSED PLUMBER TO SUPERVISE.** All plumbing work on any pipes connected or to be connected to the municipal water system shall be done by or under the supervision of a licensed plumber except that the property owner may do any work for a single family dwelling used exclusively for his or her living purposes as allowed in Chapter 4 of this code. (Ord. 739)
- 17-107.        **TRENCHING AND BACKFILLING.** No excavation made by a plumber in public ground shall be kept open longer than is absolutely necessary to make the connection required and while open, shall be protected by suitable barriers, guards and lights, as provided in the ordinances of the city, and backfilling shall be thoroughly compact and left in a condition satisfactory to the water superintendent, and where such excavation or backfilling is in an unsatisfactory condition, the water superintendent shall cause it to be repaired and the cost thereof shall be charged and collected from the plumber, and his or her authority shall be suspended unless the sum is paid to the city. (Ord. 739)

- 17-108. SERVICE PIPES, CHARACTER. All service pipes shall be copper or schedule 40 PVC and shall be two and one-half feet below the established grade, or as low as street mains. (Ord. 739)
- 17-109. CURB, STOP AND WASTE COCKS. There shall be a curb cock in every service line attached to the water mains, the same to be at the curb or sidewalk, or within 18 inches of the alley line, if the main is located in the alley. There shall be one or more stop and waste cocks to every supply pipe, so that the water can be shut off and the house plumbing entirely drained. (Ord. 739)
- 17-110. STEAM BOILERS; CHECK VALVES REQUIRED. Check valves shall be required on all connections to steam boilers or on any connection deemed by the water superintendent to require one. (Ord. 739)
- 17-111. METERS LOCATED IN TILE. Meters shall be placed in a standard meter tile, box or can 18 inches above the bottom of the tile. The tile shall have a standard cover, approved by the water superintendent. (Ord. 739)
- 17-112. METERS; TESTING. If at any time the consumer desires to have the meter tested for accuracy, the consumer shall place a deposit of \$5 with the city clerk; if the meter registers 95% or more accurate, the deposit shall be forfeited by the consumer, and the city clerk shall place the \$5 to the credit of the water fund. If the meter registers less than 95% accurate, the meter shall be repaired and the costs thereof shall be borne by the city and the deposit refunded. (Ord. 739)
- 17-113. SAME; REPAIR. The city shall have the right to repair or have repaired any meter without notice, when the meter is found to be not registering or out of repair and in any manner defective. (Ord. 739)
- 17-114. SHUTTING OFF MAINS; CITY RESERVES RIGHT. The city reserves the right to shut off at any time, without notice, the water supply in its mains or laterals, to make repairs and extensions and all persons, firms or corporations having boilers or hot water tanks within their premises not supplied with auxiliary tanks and depending on pressure in the mains are cautioned against danger of collapse or explosion. The city shall not be liable for any damages done or for keeping the boilers supplied with water as a result of any accident incident to the lack of pressure or insufficient water supply or break in the mains or the shutting off of the water supply or failure of the electric power, the energy used for pumping. (Ord. 739)

- 17-115.        **SERVICE LINES; RESPONSIBILITY OF PROPERTY OWNER.** The owner of any property to, through or upon which any water service pipe line shall supply water and which service pipe, line or its connections with any city water main, shall become injured, destroyed, defective or leaking, shall, within 24 hours after knowledge of or notice of any such injury, destruction or leaks have such service pipe line or connections repaired and upon failure to do so, the city may proceed to have such repairs as are necessary made and then may shut off the water and deny the use of any water to any such property until the city has been reimbursed for the expense of making such repairs. (Ord. 739)
- 17-116.        **TAKING WATER WITHOUT AUTHORITY.** It is hereby declared unlawful for any person, firm or corporation to take water from the municipal water system of this city, except through a meter, or from any premises not owned by him or her or without the permission of the owner thereof. (Ord. 739)
- 17-117.        **TAMPERING WITH CUTOFF VALVES.** It shall be unlawful for any person to turn any curb cock on or off; or to turn any fire hydrant on or off; or to use any water from a fire hydrant, except a duly authorized employee of the city in the discharge of his or her duty or except a member of the fire department for use during a fire. (Ord. 739)
- 17-118.        **SEALING METERS; UNLAWFUL TO TAMPER WITH.** The city reserves the right to seal or lock any or all water meters. It shall be unlawful for any person, firm or corporation to remove any water meter, take apart any water meter or in any way tamper with the meter, seal, lock or curb cock. (Ord. 739)
- 17-119.        **CONNECTION CHARGE AND TURN ON FEES.** Every applicant for water service shall pay a \$15 connection charge and/or turn on fee to the city clerk of this city at the time the water is turned on at any meter including yard meters. This \$15 shall become the property of the water utility fund. Concurrent connection or reconnection of a yard meter at the same address will be an additional \$5. (Ord. 739)
- 17-120.        **USE OF WATER DURING FIRE.** It is hereby declared to be unlawful for any person in this city or any person owning or occupying premises connected to the municipal water system of this city to use or allow to be used during a fire any water from the system, except for the purpose of extinguishing the fire and upon the sounding of the fire alarm, it shall be the duty of every such person to see that all water services are tightly closed and that no water is used, except in extraordinary cases of emergency during the fire. (Ord. 739)

- 17-121. WATER RATIONING: USE RESTRICTED OR STOPPED. The city reserves the right to restrict or prohibit the use of water and to specify the purpose for which it may be used whenever the administrator determines the public exigency so requires. (Ord. 739)
- 17-122. WATER RATIONING; IMPOSING RESTRICTIONS. Whenever the administrator determines that water use must be restricted or prohibited, he or she shall forthwith issue a statement of emergency through the news media and use other appropriate methods of making public the restrictions. (Ord. 739)
- 17-123. BILLING. Utility bills shall include sanitation, water, and sewer service charges and all applicable and authorized connection or miscellaneous fees, additional taxes, and penalties with respect thereto. One utility bill will be prepared and mailed for each water meter. Utility bills will be prepared in two cycles. Cycle 1 to be mailed on or about the 25th of the month, due on the 10th of the following month; and Cycle 2 to be mailed on the 10th of the month, due on the 25th of the same month. If payment for such bill is not receipted in the business office on or before 5:00 p.m. on the due date as specified on the bill, an additional 10% of the total bill shall be added thereto.
- The cycle of each account shall be determined by the location of services rendered. The division of town into two districts (cycles) shall be determined by city staff. (Ord. 887, Sec. 1)
- 17-124. SAME; EXTENSION OF DUE DATE. Extension of the due date may be at the discretion of the city clerk. (Ord. 739)
- 17-125. DELINQUENT NOTICES. Delinquent notices will be mailed for all unpaid accounts to the customer of record on the day following the due date as specified on the utility bill. The notice will state:
- (a) The amount due including all applicable penalties and additions with respect to the unpaid utility bill;
  - (b) Notice that the customer has a right to a hearing before a representative of the municipality; and
  - (c) The date of disconnection.
- (Ord. 739)
- 17-126. HEARING. The hearing to which the customer is entitled shall be requested no later than one working day prior to the date of disconnection of services and such hearing will be conducted by one or more of those persons as may be designated by the mayor. After

the hearing has been held and evidence presented, if the person or persons designated by appointment of the mayor shall find that the service should be terminated, than an order shall be issued to the appropriate utility service department advising that department head or interim department head, of the decision and directing him or her to terminate such service immediately. Hearings are to be held in city hall, Ulysses, Kansas. (Ord. 739)

17-127.        **ADJUSTMENTS.** The person or persons designated by appointment of the mayor to conduct any hearing requested by a utility service customer shall have the authority to make such adjustments with respect to any utility service bill as the person or persons shall deem appropriate. Such person or persons may also establish those conditions with respect to which reconnection of utility services will be provided. (Ord. 739)

17-128.        **DISCONTINUANCE OF SERVICE.** Utility bills due on the 10<sup>th</sup> and not paid by 8:00 a.m. on the 20<sup>th</sup>, service will be discontinued. Utility bills due on the 25<sup>th</sup> and not paid by 8:00 a.m. on the 5<sup>th</sup> of the following month's service will be discontinued. (Ord. 1101, Sec. 1; Code 2003)

17-129.        **RESTORATION OF SERVICE.** If water service has been discontinued, services shall not be restored until all charges plus penalty and late fee of \$20 has been paid. Reconnection after 5:00 p.m. will be charged a late fee of \$30 instead of \$20. (Ord. 1101, Sec. 1; Code 2003)

17-130.        **WATER RATES.** The minimum charge for water service per month, or portion of a month for new connects or disconnects, shall be determined by the size of the meter and shall entitle the user to 2,000 gallons of water and the maintenance of the meter as a part of the municipal water system.

<b>Meter Size</b>	<b>Minimum Monthly Charge</b>
5/8" - 3/4"	\$ 8.35
1"	9.35
1 ½"	22.00
2"	44.00
3"	77.00
4"	99.00

Additional water shall be charged to the user as follows:

0 - 10,000 gallons — \$1.20 per thousand

10,001 - 30,000 gallons — \$1.30 per thousand

Over 30,001 gallons at \$1.40 per thousand

Charges for users outside the city limits shall be double the monthly minimum meter charge and cost per thousand gallons. (Ord. 1034, Sec. 1)

- 17-131.        **SEPARATE WATER CONNECTIONS; EXCEPTION.** Unless special written permission is granted by the governing body, each building shall have a separate and distinct service connection, and where permission is granted for branch services, each branch service must have a separate meter and cut off, installed at the expense of the user. In case of apartment houses or buildings which are regularly occupied by more than one tenant or water user, the minimum rate per month shall be that amount hereinafter specified as applicable to the size of meter involved for the house or building. (Code 1988)
- 17-132.        **PURPOSE.** The purpose of sections 17-132:139 is to protect the public water supply of the city from contamination due to backflow or backsiphonage from any cross connection; and to prohibit and eliminate all cross connections to the public water supply; and to provide for the maintenance of a continuing effective cross connection control program. This program shall include regularly scheduled inspections to detect and eliminate current cross connections and to prevent future cross connections. (Ord. 860, Sec. 1; Code 1991)
- 17-133.        **DEFINITION.** A cross connection is a connection or arrangement of piping or other fixtures through which backflow of questionable quality water, waste, or other contaminants may enter the public water supply system due to a reversal of flow. The improper backflow may occur from either back pressure or backsiphonage. (Ord. 860, Sec. 2; Code 1991)
- 17-134.        **CROSS CONNECTIONS PROHIBITED.** That no person shall establish or permit to be established or maintain or permit to be maintained any cross connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the city may enter the supply and/or distributing system of the city, or any source of contamination may enter the public water supply of the city, unless such method of connection has been specifically approved by the governing body of the city and by the Kansas Department of Health and Environment. (Ord. 860, Sec. 3; Code 1991)
- 17-135.        **PROTECTIVE BACKFLOW DEVICES REQUIRED.** Approved devices to protect against backflow or backsiphonage shall be installed



at all fixtures and equipment where backflow and/or backsiphonage may occur and where there is a hazard to the potable water supply in that polluted water or other supply piping following a reduction in pressure in the city piping. Any situation in which a heavy withdrawal of water, such as a sudden break in the main or water being used from a fire hydrant, may cause a negative pressure to be developed which could lead to backsiphonage of polluted water into the system shall be improper and must be protected by approved backflow preventive valves and systems as determined by the superintendent. (Ord. 860, Sec. 4; Code 1991)

- 17-136.        **INSPECTION.** The building inspector or other designee of the governing body shall have the right of entry into any building or premises in the city as frequently as necessary in his or her judgment in order to ensure that plumbing has been installed in accordance with the laws of the city so as to prevent the possibility of pollution of the water supply of the city. (Ord. 860, Sec. 5; Code 1991)
- 17-137.        **PROTECTION FROM CONTAMINANTS.** Pursuant to the city's constitutional home rule authority and K.S.A. 65-163a, the city by its water superintendent may refuse to deliver water through pipes and mains to any premises where a condition exists which might lead to the contamination of the public water supply system and it may continue to refuse the delivery of water to the premises until that condition is remedied. In addition, the city water superintendent may terminate water service to any property where the cross connections or backsiphonage condition creates, in the judgment of the superintendent, an emergency danger of pollution to the potable water of the city. (Ord. 860, Sec. 6; Code 1991)
- 17-138.        **INCORPORATION BY REFERENCE.** There is hereby incorporated by reference for the purpose of regulating cross connections between the public water supply and any sources of contamination that certain manual adopted by the governing body of the city known as Manual of Regulations Regulating Backflow and Backsiphonage of Contaminants Due to Cross Connections for the City of Ulysses Public Water Supply. No fewer than three copies of the manual shall be marked or stamped, "Official Copy as Adopted by the Code of the City of Ulysses, Kansas," and to which shall be attached a copy of this section, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. (Ord. 860, Sec. 7; Code 1991)
- 17-139.        **SPRAY; HERBICIDES, INSECTICIDES, ETC.** No person shall spray a herbicide, insecticide, etc. by using a sprayer with a hose adaptor connected to the public water system of the city, unless there

is a backflow valve that will prevent the herbicide, insecticide, etc., from entering the public water supply system. (Ord. 860, Sec. 8; Code 1991)