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WATER SERVICE

26.01 WATER RATES. (a) Established. Water supplied by the city to persons in and outside the city shall be paid for by the users in accordance with the charges, rents, rentals, etc., as set forth in this code.

(b) Due Date: Delinquency. All such charges, rentals, etc., shall become delinquent if not paid before the first day of the following month after becoming due; regardless of who owns or occupies the real estate supplied with water at the time, the water may be turned off and the water shall not be turned on again until all arrears have been paid with a service charge, if a service charge is made to turn the water off. Charges of all classes shall be paid to the city treasurer.

All amounts due and unpaid shall be a lien against the real estate supplied with water. The amounts due and unpaid, if not paid when due, may be levied and collected as a special assessment in the manner provided by Minnesota Statutes, Section 429.061 to 429.081; but the assessment shall be payable in a single installment. Prior to the submission of the assessment to the county on the date the assessment is confirmed by the City Council, the Council shall add an administrative fee of 15 percent of the amount then due.

Ord. No. 3851 09/20/2010

26.02 APPLICATION FOR SERVICE. Any persons desiring to become a user of city water shall make written application to have the water turned on; the applicant shall make a full and true statement of the location of the building, place or premises to be supplied, the name and address of the owner or owners if the applicant is not the owner, all the purposes for which water is to be taken and such other facts as shall be necessary for determining fully and accurately the rates to be paid. If the owner is not the applicant, the city shall at once notify the owner of the application, advise the owner that if the water rates and meter rentals are not paid by the applicant and the water become delinquent, the water shall be turned off and left off until the water rates and meter rentals and interest are paid in full.

26.03 USE OF UNMETERED WATER. In all cases, except where the water taken is metered, the rent must be paid before the water is turned on. The water rent receipt shall state the purpose for which water may be used on unmetered premises; such receipt shall be a permit to use water for the purposes specified therein and the use of water shall in each such case be strictly confined to the purposes so specified, unless and until the consumer shall notify the city of other and further uses for which a supply is desired, and shall pay such additional rental as may be required by the city.

Ord. No. 2524 02/04/80.

26.04 USE OF WATER FOR SPRINKLING LOTS OR STREETS. The use of city water for sprinkling lots or streets may, in the discretion of the city, be restricted or prohibited on published notice of such regulations as the city may adopt in one issue of the official newspaper of the city.

26.05 OPENING MAIN VALVE ON HYDRANT. (a) Only a city official or employee or authorized person shall open or close the main operating valve on any hydrant.

(b) Proper notification shall be made to the Water Department prior to using any city hydrant except for use by the Fire Department.

(c) A fee of \$100 shall be levied by the city for any unauthorized use of any fire hydrant within the city. Ord. No. 3130 03/16/92. Ord. 3539 07-01-02

26.06 METERS INSTALLATION. (a) Installation. The City shall install water meters for 1-4 family residences unless the plumbing adjacent to the meter is too deteriorated to allow the City Water Department to install the meter. In that case, the City Water Department shall furnish a meter to the property owner and the property owner shall have the meter installed by a licensed plumber and the owner shall be responsible for the installation costs. For apartment buildings larger than four (4) units and commercial and industrial buildings, it shall be the responsibility of the owner to replace the water meter when directed to do so by the City. The City shall furnish the meter to the property owner.

Ord. No. 3300 07/01/96.

(b) Residential Meter Change Out. In the event that a meter is stopped, underregistering, or needs upgrading, the Water Department shall replace the meter unless the adjacent piping is so deteriorated that replacing the meter will further damage adjacent piping. In that event, the property owner shall be notified by the city that the adjacent piping and water meter must be replaced by a licensed plumber at the expense of the property owner within Thirty (30) days from the date of the notice. During the Thirty (30) day period, the property owner shall be charged the average rate for water and sewer per quarter as set fourth in Chapter 51 of this Code. After Thirty (30) days, the rate for both water and sewer shall be surcharged at 100% for Six (6) months. In the event that the new meter is not installed within Six (6) months from the date of the initial notice, the property owner shall be notified and the water shut off to the premises until the new meter is installed.

Ord. No. 3264 10/02/95. Ord. No. 3331 04/07/97. Ord. No. 3379 10/05/98
Ord. No. 3426 09/20/99

(c) Commercial or Industrial Meter Change Out. In the event that a commercial or industrial meter is stopped, underregistering, or needs upgrading, the Water Department shall notify the property owner that the new meter must be installed by a licensed plumber, at the expense of the property owner, within Thirty (30) days from the date of the notice. In the event that the new meter is not installed within Thirty (30) days from the date of initial notice, the City shall hire a licensed plumber to install the meter and the cost of installation shall be paid by the property owner or, alternatively, the City may assess the cost as provided in paragraph (d) of this section. In the event that the property owner does not allow the City's agent access to the property for the purposes of changing the meter, the property owner shall be notified and the water shut off to the premises until the new meter is installed. Ord. 3604 03/01/04

(d) Assessment. If the work is not completed by the property owner within the time specified, the city may, with the consent of the property owner, cause said work to be completed and the cost thereof shall be charged to the property owner, which amount shall be immediately due and payable. On or before September 1 of each year, the clerk shall list the total unpaid charges for work done by the City. After notice and hearing as provided in Minnesota Statutes Section 429.061, the council may then levy the charges against property benefitted as a special assessment under Minnesota Statutes Section 429.101 for certification to the county auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the council may determine in each case. Senior citizens or retired and disabled persons may file for a hardship special assessment deferral in accordance with Section 22.19 of the Code. Ord. No. 3331 04/07/97.

26.07 TESTING METERS FOR ACCURACY. When a written complaint is made that a charge for a past period of time is excessive, the city shall reread the meter. Thereafter, if a written request is made to test the accuracy of the meter and a payment of money is made to the city, the city shall remove and test the meter. If the test shows an error of over 5 percent in favor of the city, a new meter shall be installed by the city and the payment made shall be refunded and the charge made shall be adjusted. The adjustment shall not extend back more than one service period plus one month figured from the date of the receipt of the complaint by the city; no charge shall be reduced below the minimum. If the test does not show the aforesaid error, the city shall retain the money paid.

26.08 DAMAGING METERS. No person shall remove, change, injure, alter or allow to be damaged, any meter, outside register, or wires which connect the two. Any damage to a meter resulting from freezing or from any other cause shall be repaired by the city and the expenses thereof, including removal, shall be charged to the occupant or owner. Ord. No. 3010 03/05/90.

26.09 LEAKY OR UNUSED CONNECTIONS. No owner of real estate served with water from the city water main shall:

(a) Permit a service pipe to continue to leak after a leak has been discovered.

(b) Keep a service pipe connected to the main where there is no need for the connection. It shall be presumed there is no need if no water is supplied through a meter for a period of 300 consecutive days.

26.10 SERVICE PIPES. (a) Defined. For the purposes of this chapter, the term "service pipe" shall mean the service line and each item of material used to effect a connection of a city water main to a meter in, on or near a building; such material includes, but is not limited to pipes, corporation cocks, curb cocks, stop boxes and couplings and valves.

(b) Costs of Materials and Labor for Laying, etc. A property owner may be required by the city, at the owner's expense, to have a licensed plumber install or replace a service pipe from the city main when it has been determined that the service pipe is not operable or is leaking. The city may also require the owner to have other pipes repaired or replaced so that the city may properly install or replace a water meter. The owner of the property on which or adjacent to which the service line is located shall be personally liable for the cost of such work. The city shall notify the property owner, in writing, of the specific work which needs to be undertaken. If said work is not completed by the property owner within the time specified, the city may, with the written consent of the property owner, cause said work to be completed and the cost thereof charged to the property owner. Ord. No. 3130 03/16/92.

(c) Installation or Repair of Water Service Lines by City. Whenever the city installs or repairs or has installed or repaired water service lines servicing private property, the city clerk, or his designated representative, shall prepare a bill and mail it to the owner and thereupon the amount shall be immediately due and payable. On or before September 1 of each year, the clerk shall list the total unpaid charges for the service line installation or repair. After notice and hearing as provided in Minnesota Statutes Section 429.061, the council may then levy the charges against property benefitted as a special assessment under Minnesota Statutes, Section 429.101 for certification to the county auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the council may determine in each case. Ord. No. 3130 03/16/92.

26.11 COST OF SHUTTING OFF WATER. Where water is shut off at the request of the owner, a fee shall be paid to the city. When any water service is discontinued permanently, the city, at its discretion, may cause the service to be shut off at the tap on the water main and charge the cost of such shutting off to the property which is served.

26.12 UNION COUPLINGS AND REPAIRS ON SERVICE LINES. No union coupling shall be placed in the service line between the curb stop box and the water main and no one except a licensed plumber shall make repairs on the service lines between the water meter and the mains.

26.13 LIABILITY OF CITY. The city shall not be liable in damages because of insufficiency of water supply. The right is reserved to shut off the water from any main or mains for a reasonable time whenever such action becomes necessary for flushing or for the purpose of making connections, extensions, changes or repairs.

26.14 RIGHT OF ENTRY. The authorized agents of the city shall be allowed free access at all reasonable hours of the day to all parts of any buildings or premises supplied with water from the mains to make all necessary examinations of pipe and apparatus used in supplying water, to make investigations as to the amount of water taken, to ascertain whether it is being wasted, or for the performance of any other official duty.

26.15 RIGHT TO TURN OFF WATER FOR NONPAYMENT OF RENTALS, ETC. The city reserves the right to turn off water for nonpayment of rentals, or other charges for wasting water, for any violation of these rules, or for any other cause where the public interest shall, in the opinion of the city, require; when water is turned off for any violation, the rent paid, if any, shall be forfeited and shall not be refunded nor shall the water be again turned on until satisfactory assurance is given the city that the offense will not be repeated and payment of the service call fee for water shut off as set forth in Section 51.01 has been made. In the case where entry onto property cannot be made, and the city has submitted two estimated bills, the city also reserves the right to shut the water off. Ord. No. 2923 05/02/88.

26.15A METER NOT READ CORRECTLY. In the case where a person other than a city employee has read a meter incorrectly, any overpayment resulting shall not be refunded but shall be credited to the account.

26.16 PERSONS AUTHORIZED TO LAY AND REPAIR SERVICE PIPE. No person shall lay, repair or replace a service pipe except a person regularly licensed to perform that description of work and no permit shall be granted to any person except such regularly licensed person. Application shall be made to the city in writing; the application shall contain such information as the city may require; upon the filing of a satisfactory application, the city shall issue a permit for the work. Ord. 3452 05/15/00

26.17 PLUMBING REGULATIONS FOR SERVICE LINES. (a) Taps, etc. No tap shall be put into any main at any time by any person except under the immediate direction of the city and no tap shall in any instance be used above the size of two inch inside diameter. Persons desiring a larger tap shall put in a suitable tapping sleeve and valve or tee to be approved by the city. All taps shall be of the compression type. Ord. No. 3130 03/16/92.

(b) Size and Kind of Stop-Cocks, etc. A stop-cock of the compression type, full-way or a resilient seat gate valve shall, in each case, be fitted into the service pipe at a point one foot to the street side of the sidewalk or in a case where there is no sidewalk one foot outside the property line or at such a point as the City may direct. The curb cock shall be enclosed in a substantial box which has a cap or cover marked "W" or the word "water" printed out. All service pipe shall be equipped with a resilient seat gate valve or a full-way ball valve located one foot before the meter and shall have the same type valve one foot before the meter and shall have the same type valve one foot on the building side of the meter. Ord. No. 3130 03/16/92.

(c) Location of Meter or Meters. In all cases of new work the plumber shall install the service pipe in the building at such place and in such manner as may be convenient to place a meter and in accordance with the following:

(1) In residential property, the installation shall permit installation of a remote reader (outside dial), and

(2) In all other property just inside the wall or at the point where the service pipe comes through the floor; where appropriate, the plumber shall insert at a proper place for setting the meter, a section of pipe 24 inches long and a union in such manner as to allow the placing of a meter in a horizontal position thereon. If authorized by the city a remote reader (outside dial) may be installed in any building. Ord. No. 2524 02/04/80.

(d) Basements, Cellars, Manholes. Where no basement or cellar exists, the plumber is to provide a manhole for the meter to be made of brick or concrete of a size not smaller than 3-1/2 feet square inside measurement, with suitable cover at the top of floor line or as the city may direct. This manhole shall be easily accessible for reading, inspection and repair of meters. The number of meters in the manhole shall determine the actual size of the manhole.

(e) Cross Connections. A physical break must exist between any city water line or main and any private service pipe, main, well, cistern or reservoir, unless an approved backflow device is incorporated in a line. Such device must be approved by the city prior to installation.

(f) Shut Off at Stop-Cock. After completing the connection of any private pipe with the city water mains the plumber shall in every case leave the street stop-cock tightly closed and the cover of the stop-box shut and fastened and the same shall not be opened until ordered by the city.

(g) Repairs, Shut-Offs. Whenever in repairing any existing pipe or fixture on any private premises, it shall become necessary to turn off the water at the stop-cock the plumber authorized to do such work shall make immediate report to the city of such turning off and turning on of water. Any person or persons is prohibited from closing or opening any stop-cock or valve situated between the water meter and the water main for performing any work of any kind on any service line or lines.

(h) Removal of Water Meters. Plumbers and other persons are prohibited from removing meters from service lines for winter storage or for any other long period of time. The owner or tenant shall notify the city when meters are to be taken out and replaced.

(i) Depth of Service Pipes. All service pipe between the tap and the water meter shall, when laid, be new and of the best quality pipe no less than 3/4 inches inside diameter and shall be type K copper tubing, or ductile iron pipe, unless otherwise specified by the city, with all joints carefully reamed if the pipe is copper tubing, and shall be laid not less than 6-1/2 feet below the surface of the street, except where express permission of the city is obtained to lay the same less than such depth and all service pipe beyond such stop-cock, if designated for use in winter shall be laid at a depth of not less than 6-1/2 feet below the surface of the ground outside or under buildings, except where permission of the city is obtained to lay the same less than such depth; all service pipe inside of buildings, cellars and basements must be carefully protected against frost just inside the wall and between the wall and the meter, so situated that the water can be conveniently shut off and drained from the pipe to prevent freezing. Ord. No. 3130 03/16/92. Ord. No. 3452 05/15/00.

(j) Inspection of Underground Pipes. No water pipe laid underground shall be covered by any plumber until after the water has been turned into such pipes and they shall have been thoroughly tested and found watertight. All water services from mains to buildings placed in the same trench with sewer pipe must be laid at least one foot away from such sewer pipe and 10 feet apart if sewer pipe is not pressure pipe material. All connections with public mains, whether they are sanitary, storm, or water, shall be left uncovered until they are inspected and approved. The Engineering Department must be notified at least two hours prior to time of inspection. Notification must be made during normal business hours. Inspections will be done during normal business hours. Normal business hours are 7:00 a.m. to 4:00 p.m. Monday through Friday, except holidays. Property owners are fully responsible for any problems that occur after inspection. Ord. No. 3452 05/15/00. Ord. No. 3497 07/02/01.

(k) Service Connections for Two or More Premises. No service connection shall be made or maintained across a lot separate and distinct from the lot on which the house or building to which water is to be conducted is located, and no two houses or buildings shall be supplied with water from one single service; provided, that the above provision shall not apply in a case where the buildings with the single service are located on the same lot, and the entire use of such buildings is in the same party.

(l) Stop-Cocks, Private Premises. No stop-cock shall be placed upon private premises, except upon condition that free access thereto shall be allowed to the city at any time that it may be found necessary to turn the water on or off.

(m) Two or More Taps. No two taps shall be inserted in any water main within two feet of each other, nor shall more than four taps, not larger than one inch each be inserted in any main to supply one service pipe. When multiple taps are used for one service pipe, there shall be minimum clearance of two feet between each tap and taps shall be staggered on the water main.

(n) Tees, Sleeves and Valves. If taps are made by the use of tees or sleeve and valves, no valve shall be used smaller than a 4-inch gate valve on the branch and then the size of pipe shall be reduced at the valve by use of reducers.

(o) Boilers. All copper boilers for heating water shall be provided with an air valve to prevent collapsing when water is drawn off; also a pressure relief valve shall be installed.

(p) Construction Jobs. Notwithstanding any other provisions of this chapter, the following special regulations shall apply to contractors or builders where no water has been previously supplied to the premises on which construction is to take place:

(1) A meter shall be installed by the city before the water is turned on to the premises.

(2) The water shall be turned on by the city.

(3) A temporary permit shall be issued by the city for a 90 day period and at the end of the period the water shall be shut off, or the service shall be transferred to the owner of the premises, or the permit shall be extended for a period to be determined by the city, and

(4) The contractor or builder shall be liable for all charges for installation, service interruption and water supplied while the permit is in effect.

26.18 WATER SERVICE CONNECTION. (a) Assessment or Access Fee. The Water Department will only set a meter for a water service connection if the property has been assessed for a water main or if an access fee is paid in lieu of assessment.

The access fee shall be established annually by the City Council and shall be set forth in Section 51.01 of this Code. The fee shall be paid to the city treasurer.

If the person requesting access to the City's water main must construct a water service line past the frontage of another person's property, he shall receive a credit to be deducted from the access fee. The credit shall be calculated by multiplying the frontage in feet of the other person's property by \$6; provided, however, that the credit shall not exceed the access fee.

Ord. No. 2793 03/17/86. Ord. No. 3452 05/15/00 Ord. No. 3501 09/04/01
Ord. No. 3698 6/19/06

26.19 WATER SERVICE ONLY METERS. In addition to a water meter installed to measure water consumption that uses the sanitary sewer system, a person may install an additional meter to measure water usage which does not use the sanitary sewer system. Sanitary sewer fees will not be charged for this additional water meter. The meters shall be installed in parallel and not in series unless approved by the City Manager or his/her designated representative. Ord. No. 2969 05/01/89. Ord. No. 3918 12/17/2012.

26.20 STOP BOX/VALVE BOX DAMAGE FEE. Once a location of a stop box or valve box has been made and marked by the city and damage is done to either by a contractor, the contractor shall be charged a damage fee of \$100 plus replacement cost. Ord. No. 3130 03/16/92.