

City of Clearwater, Kansas  
**CITY POLICY**  
REVISED 09/22/2020

The following policies represent a working document which addresses the actions and responses to City issues associated with the Clearwater City system. The information is amended and approved by the City Council from time to time to meet the comprehensive nature of municipal City service.

User Definitions:

For the purposes of classification of customers and assigning rate structures, for water service users are classified as Inside City Limits and Outside City Limits. For the purposes of sewer rate calculations and charges; a Residential customer is defined as a single-family or multi-family structure being utilized as a residence and not primarily for commercial or industrial activity; Commercial customers are defined as any structure whose primary function is commercial or industrial activity; Medical care facilities and schools shall be charged base rates as set by resolution.

Ownership & Responsibility:

The water meter shall represent the division of ownership and responsibility between the City of Clearwater and the water consumer. All water that passes through the meter shall be the responsibility of the consumer. In addition, all water used or leaked and all water piping on the consumer side of the meter shall be the responsibility of the consumer. The city shall be responsible only for the water and maintenance of piping from the meter to the water main.

Water Meter Installation and Maintenance:

The City shall install, maintain and replace the meter. The consumer's plumber shall attach the service line to the meter, which shall be tested by the plumber, inspected and approved by the City. After meter installation, the City or its subcontractor shall perform meter maintenance and replacement of the water meter

Water & Sewer Connection Fees:

A connection fee shall be required for new water and sewer customers with already established system connections. Customers establishing new services requiring installation of new water and sewer service lines will be assessed fees for connection, meter, installation and water system taps. All fees must be paid before water and sewer service will begin. Such fees shall be established in a separate Fee Resolution

Water & Sewer Reconnection Fee:

A reconnection fee shall be charged for each reconnection of a water and sewer service. The water consumer shall arrange a meeting at which time the meter shall be turned on and the system inspected for leaks. Water cannot be turned on in a vacant structure unless the City can confirm that a valve outside of the structure has closed off the water supply to the structure. Reconnection fees will not apply to customers moving to another location within the City limits. Such fees shall be established in a separate Fee Resolution.

Late Fee:

City bills are due upon receipt by the consumer. ***Full payment is required each month, which includes all water used and any late payment due.*** Late payment shall be issued on all water bills not paid by ***7:30am the first business day following the 14<sup>th</sup> of each month.***

The City is not responsible for payments delayed in the mail or not received by the deadlines noted above. A late fee is equal to 10% of the overdue amount, compounded monthly. Failure to pay the late fee will result in termination of City service.

Late Fee Waiver:

City late fees may be waived once per calendar year by the City Clerk, subject to the assessment of the customer's billing history. The City Administrator may waive a second late fee per calendar year based on extenuating circumstances. All decisions by the City Administrator are final.

Delinquent City Bills & Shut-Off Notice:

Any consumer that has not paid their City bill for services provided by the City by the 15th of each month shall be subject to water shut-off. The City shall mail each consumer a disconnection notice that requires full payment or arrangements by the end of the month. Without such payment or arrangements for payment by the noted disconnect day on the letter, the city shall terminate City service. If a consumer moves out of a structure without full payment, the City will submit the outstanding bill to collection.

Payment Plan Arrangements:

In special situations, the City Clerk has a right, for good cause, to grant an extension, for the termination of such service. The request for extension must be made in person and signed by the requestor.

Reconnection Charges:

The City shall charge a fee for shutting off the water for non-payment of the City bill. The City bill shall be paid in full prior to the water turn-on, including but not limited to, the water bill, reconnection fee, and late payment penalty fee. The City Clerk has the ability to waive the reconnect fee one time per calendar year, subject to the assessment of the customer's billing history. Such fees shall be established in a separate Fee Resolution. If an account has been shut off for non-payment and the resident reconnects themselves without paying the fees the account will be shut off and locked and be charged an additional fee.

Returned Checks:

In the event that the city receives more than one insufficient funds check from a customer in payment of their water bill during a three-month period, then the customer shall in the future make payments of their water bill by cash or cash equivalent for a period of one year. Receipt of an insufficient funds check shall be treated by the city clerk as an unpaid water bill and the penalties will be assessed as set forth by resolution for providing a check of insufficient funds to the city.

Water Requirements:

All residents residing in the City of Clearwater are required to utilize Clearwater water and sewer services. Private wells are allowed but must be registered and permitted through Sedgwick County; the City will issue permits for electrical connections to private wells through the building permit process. All private wells must have physical separation from the City potable water supply.

Water Meter Accessibility:

Water meters are read monthly. Access to read the water meter is the responsibility of the consumer. Consumers must not prevent or restrict access to meters through individual actions. City employees unable to access the meter shall estimate the meter read with a 10% increase over the previous month's reading. No consumer shall be permitted to have two consecutive estimated meter readings. Arrangement for actual reads shall be required or the City will proceed to turn-off the meter. All fees and costs associated with obtaining the final read shall be charged to the consumer.

Water Meter Service Appointment Required:

The consumer shall make an appointment between normal City operating hours of 8:00am to 4:00pm Monday through Thursday and 7:00am to 1:00pm on Friday to turn the water on or off and provide no less than 24 hours' notice before such activity takes place. The consumer or their representative shall be on-site when service is provided to ensure that the water system is operating properly. Arrangement for this service can be obtained from the City Clerk at City Hall, 129 E Ross. or call 620.584.2311.

Meter Re-Reads and Leak Detection:

City personnel are available with a 24-hour notice to assist the consumer in re-reading a meter to confirm the accuracy of the meter reading or to inspect the consumer area for possible leaks. Arrangement for re-read and/or leak inspection shall be made by contacting the City Clerk at City Hall, 129 E Ross or call 620.584.2311. After hours appointments, may be subject to an additional charge.

Except in emergencies, the City will provide one (1) re-read service per year to confirm the correct meter read and/or one (1) water system inspection per year on the consumer side of the meter to determine possible leaks. The City does not provide repair or maintenance service to the consumer and/or his/her contractor to detect any leak in the consumer system.

If a water user requests that his or her water meter be checked for accuracy, the user shall provide a cash deposit to the city (set by resolution). The meter in question will then be removed and tested to a comparable manufacturer's certified meter. If the tests prove the meter to be accurate, the deposit is forfeited for costs. If the meter proves to have been giving inaccurately high readings, a new water meter will be installed, and the water bill will be adjusted to an average of the three lowest readings of the current year or of the previous year.

Water Leak Liability:

The City is not liable for any water that passes through the meter that may leak or escape appropriate and intended use by the consumer. **If the water goes through the meter, the consumer is liable for the water and will be billed.**

In the event of a reported and/or discovered leak by City staff on the consumer's system, the consumer has fourteen (14) days to have the leak repaired or service may be shut off until repairs are made. Depending on the severity of the leak, shut-off timeframes may be adjusted.

The City will not be liable for any loss, damage or injury whatsoever caused by leakage, escape or loss of water after same has passed through the City's meter (the "point of delivery"), nor shall the City be liable for any damage or loss resulting from a defect in the Customer's piping or appliances.

The Customer with an identified leak at their property may forward to the City a copy of a repair invoice or receipt and a letter stating their request for an adjustment to their account. The City reserves the right to deny such request or to adjust such account, depending on the type of leak, timing of the repair, notification from the City, and timing of the Customer's request for the credit. Requests for adjustments not made within one billing cycle may not be eligible for adjustments. If such leak is found to be eligible for an adjustment, it will be based on charging only the lowest retail tier rate per thousand gallons.

Water Shut-Off / Turn-On Authority:

City ordinance **prohibits** the right of anyone to turn-on or shut-off the water to any building or consumer, unless authorized by the City of Clearwater. The violation of this act shall, upon conviction, be fined a sum not to exceed five hundred dollars, or by imprisonment for not more than one month or by both such fine and imprisonment, for each and every offense. Any violation hereof shall be singular and cumulative and each day a violation continues to exist shall constitute a separate offense.

Use of Bulk Water:

The bulk rate for water shall be twelve dollars per thousand gallons or portion thereof. An additional fee of twenty-five dollars shall be charged for the use of a meter and backflow device to be installed by the city at an approved location. It shall be a twenty-five dollar fee for each separate setup.

Backflow Prevention:

Backflow prevention is required for sprinkler systems and must be tested annually. A report of the test must be given to the City by **April 1<sup>st</sup>** of each year to document that the backflow device has been tested and is working properly.

Backflow prevention devices are also required for basement connections to sanitary sewer lines but are not subject to yearly inspection and certification.

Lawn Irrigation

Any lawn irrigation system must have a back-flow prevention device. Said device must be inspected annually and certificate given to the Public Works Director. Water service may be stopped if backflow prevention devices are not certified. Such devices insure the safe drinking water of all citizens. A second meter only for lawn irrigation may be installed at the expense of the consumer. All water fees will be charged but no sewer fees for an irrigation only meter.

Sanitary Sewer Requirement:

All residents residing within the corporate city limits of Clearwater will be required to utilize the City's sanitary sewer system. Or an alternative system approved by Sedgwick County.

Sewer Usage Charge Computation:

A sewer usage charge shall be assessed to each customer. This charge is shall be computed by averaging the water usage for the months of January, February and March of each year, provided however, that if said average is adversely affected to the detriment of the customer by a customer water leak or by the city's necessity to estimate water usage, then the city shall use a four months' average. If water usage history is not available, the average shall be deemed to be five thousand gallons.

Sanitary Sewer Discharges:

No person shall discharge or cause to be discharged any storm water, groundwater, roof-runoff, subsurface drainage, uncontaminated cooling water or unpolluted waters into any sanitary sewer. Tapping of sanitary sewer lines to connect sump pumps for discharge is prohibited and may result in a fine to the account holder.

The City of Clearwater enforces the suggested Federal standards for discharges. No person shall discharge or cause to be discharged to a public sewer which directly or indirectly connects to the City's wastewater system, any waste that constitutes a violation of City, State or Federal Law.

City Rates

All current rates for City Utilities are set by Resolution and are on file with the City Clerk.

Trash and Recycling

All refuse and garbage accumulated within the city shall be collected, conveyed and disposed of by the city, its employees, or by contractors specifically authorized by agreement with the city to collect and dispose of refuse and garbage.

All residential customers of the city's contracted trash service shall be assessed a fee for curbside recycling and said fee shall be billed as part of the monthly assessment for collection and disposal of refuse and garbage.

The resident must place all solid waste generated by the premises in the container for removal by the contractor. If the amount of refuse and garbage generated at the residence regularly requires an additional container(s), the resident must make arrangements with the city for extra service.

All containers and ground immediately around the containers shall be kept in a safe, sanitary condition at all times.

For single-family dwellings, each container shall be kept at the rear or side of the premises in a position where collection is not made, except on the time designated for collection. For multi-family dwellings, each container shall be kept as for single-family dwellings, except central collection containers may be kept at all times in an area in the front yard where collection is made provided that the central collection containers are in an enclosed area that is fenced with a privacy fence of a height not less than the height of the container.

The containers shall be placed for collection on the curb, in front of the premises, or on the curb at the side of the premises where the premises are adjacent to more than one street, as close to the curb line or edge of roadway as practicable. When the premises are adjacent to an alley of sufficient width to allow easy passage of collection vehicles, the containers may be placed within two feet of the rear property line of the premises and must be readily accessible for collection from the alley. The contractor and homeowner may agree for collection to be made from another location on the premises.

No residential householder shall place or permit to be placed any solid waste container at the place of collection at the residential premises before five-thirty p.m. of the day preceding the scheduled collection. No container may be left at the place of collection after eight p.m. on the day of collection or more than two hours after actual collection, whichever is later.