

CODIFIED LAW #15
TOWN OF MISSION HILL

OPERATION OF WATER SYSTEM & PRESCRIBING RATES

BE IT ORDAINED by the President and Board of Trustees of Mission Hill, SD:

Section I. List of Water Users. The Finance Officer shall prepare a list of water users, giving their name and whether residential or commercial service. Such list shall be prima facie evidence of the liability of the named owner for the water charge.

Section II. Discontinuance of Service. Any user desiring discontinuance of water service shall notify the Finance Officer prior to the first day of any month and shall continue liable for payment of the water charge until such notice.

Section III. Application for First Service Connections. Any party desiring water service from the water system of the Town for premises not connected with the system shall apply for a connection on a form provided by the Finance Officer. Such application shall contain an exact description of the premises to be served and state the uses, residential or commercial, to which the water is to be put. Such application shall be filed with the Finance Officer and the applicant shall thereupon pay a meter deposit as set by resolution of the Town's Board of Trustees. And said meter deposit shall be refunded upon discontinuance of service after all water charges are paid.

Section IV. Subsequent Application for Service. Any new occupant of premises who desires water service for premises where a connection has been made shall make written application therefor as described in Section III hereof and shall be required to pay the meter deposit as provided for in Section III. And said meter deposit shall be refunded upon discontinuance of service after all water charges are paid.

Section V. Premises to Have Separate Connection. Unless special permission is granted by the Town Board, each premise shall have a separate service connection and where permission is granted for branch service systems, each system must have its own separate curb cock.

Section VI. Cost of Installation Borne by Consumer. After January 1, 1987, the cost of original installation of all plumbing between the curb and any service devices maintained by the consumer, all extensions made to such plumbing, and all repairs shall be borne entirely by the consumer. Such plumbing and services shall at all reasonable times be subject to inspection by duly authorized representatives of the Town. Any repairs or replacements found to be necessary shall be made promptly. Failure to comply with this section shall give the Finance Officer the authority to discontinue service.

Section VII. Use of Water Without Authority. It shall be unlawful for any person to use water from any premises without the consent of the owner, or to use water from the water system of the Town without passing through a metered water source, except for recreational uses only at a public park. No person except an authorized representative of the Town shall turn on or off or tamper with any curb cock.

Section VIII. Defective Service. All claims for defective service shall be made to the Finance Officer. If any such claim is so made, the Water System Supervisor shall investigate the facts alleged and shall organize and complete all system repairs to be

made on the service side of the curb cock and report such findings and repairs to the Town Board. No claim shall be made against the Town by reason of any fire or any injuries to the person or property of any consumer of water under the provisions hereof.

Section IX. Consent to Regulations. Every person applying for water service from the water system and every owner of property for which such application is made, shall be deemed by such application to consent to all the rules, regulations, and rates contained in the ordinances of the Town and to all modifications thereof and to all new rules, regulations, or rates duly adopted by resolution of the Town Board of Trustees.

Section X. Discontinuance of Service. The Town reserves the right to discontinue service to any or all consumers of the water system without notice when necessary for repairs or on account of non-payment of any bill or disregard of rules and regulations regarding water service. When service has been discontinued on account of non-payment of any bill or disregard of rules and regulations, it shall not resumed except upon payment of the bill, together with payment to the Town of a fee for re-establishing service in an amount set by resolution of the Town's Board of Trustees.

Section XI. Water Connections. All plumbing systems to be connected to the Town's water service shall be installed only by a duly licensed plumber and shall be inspected by the Town's Water Supervisor prior to the connection and commencement of the water service.

Section XII. Water Service Pipes. All service pipes connected to the water system shall be polyethylene pipe and shall be laid 6 (six) feet below the established grade, or as low as the street mains.

Section XIII. Curb, Stop, and Waste Cocks. There shall be a curb cock in every service line attached to the water main, the same to be placed as near as possible to the street side of the sidewalk if on a street, or within 1 (one) foot of the alley line if the main is located in the alley. Curb cocks shall be supplied with strong and suitable "T" handles, and shall be enclosed in a substantial iron case covered with a tight fitting iron lid, with the letter "W" cast upon it. There shall be a valve in the pipe on the service side of the meter.

Section XIV. Water System Check Valves. Check valves are required on all water connections to steam boilers or any other connection deemed by the Water Supervisor to require one. Safety and relief valves shall be placed on all boilers or other steam apparatus connections with the water system where the steam pressure may be raised in excess of 50 (fifty) pounds per square inch.

Section XV. Rates for Water Service. All water rates shall be set by resolution of the Town's Board of Trustees. Each rate set shall remain the existing rate until a subsequent resolution of the Town's Board of Trustees changes said rates.

Section XVI. Billing and Payment. All accounts shall be carried in the name of the property owner who, personally or by his authorized agent, shall apply for such service. Each tenant of a property owner may establish water service as an agent for the property owner. A tenant's failure to pay for water service does not relieve the property owner of the owner's obligation to pay for water utilized by the property owner's tenant. The Finance Officer shall prepare monthly statements of the amount due under the terms of this ordinance from each customers, and shall mail one thereof to the respective customer by first class mail. The amounts shown on such statements shall be immediately due and

payable to the Finance Officer forthwith and if not paid on or before the 15th day of the month, a penalty charge shall be added in an amount determined by resolution of the Town's Board of Trustees, and a notice shall be mailed by the Finance Officer to the customer and to the property owner that the late fee was imposed and warning that service shall be discontinued if payment is not timely made. If all amounts past due are not paid in full by the 15th day of the following month, a second notice shall be mailed by the Finance Officer to the customer and property owner stating that service shall be disconnected on or after 12:00 P.M. (Noon) on the 21st day of such month unless payment is made in full. If payment is not received by 12:00 P.M. (Noon) on the 21st day of such month, the customer and property owner shall incur a water re-establishment fee as set forth in this Ordinance and water service may be disconnected by the Town's Water Supervisor.

Section XVII. Water Fund: There is hereby created a special fund to be known as the Water Fund, to be kept and maintained by the Finance Officer. Into said fund shall be paid all collections of water charges as provided in Section XVI hereof, and such other moneys as may from time to time be appropriated thereto. Out of said fund shall be paid all costs of operation and maintenance of said water system.

Section XVIII. Collection of Charges. Any amounts due hereunder for water charges may be collected in an action brought for the purpose in the name of the Town against the water user and the property owner. The property owner shall be liable for water service to the premises whether or not he is occupying the premises, provided that nothing herein shall prevent the Finance Officer from ordering discontinuance of service to any such premises until any bill shall have been paid.

Scott Vanburen
Town Board President

LeAnne J. Cutts
Finance Officer

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