

3.1

Willamina Ordinances

ORDINANCE NO. 529

*Sect. 3(4) 5/2, 3, 5, 6, 8
+ Sect. 11
amended by
5-29-98*

3.3-2

*Sect. 7+8
amended by 5/5/61
Sect. 3(4) amended by
5/6/8
Sect. 4(4) amended by
5/6/8
Sect. 6 replaced by
5/6/8*

AN ORDINANCE PRESCRIBING RATES FOR THE USE AND SALE OF WATER OF THE CITY OF WILLAMINA AND ADMINISTRATION OF THE WATER DEPARTMENT: PROVIDING FOR THE EXTENSION OF WATER LINE, FOR METERS, DEPOSITS, CONNECTION FEES, SETTING WATER RATES, AND ENACTING REGULATIONS AND PROHIBITING CROSS-CONNECTIONS TO THE CITY WATER LINES, AND REPEALING ORD. #241, 504, 510.

The City of Willamina, Oregon, ordains as follows:

Section 1. Administration.

(1) The superintendent of the water department, hereinafter called the superintendent, shall have charge of the maintenance and operation of the water supply, treatment plant, pumping equipment, distribution system, meters, and all other appurtenances of the waterworks system under the supervision and direction of the water committee. The superintendent shall supervise all extensions and alterations of the waterworks system which are authorized by the city common council. He shall also be responsible for the reading of all water meters and shall report to the water clerk on all money due the city for all deposits, fees, and charges made for water services and connections.

(2) The city water clerk shall be responsible for the collection of water bills, deposits, and fees. All revenues therefrom shall be accounted for in a manner satisfactory to the council and shall be deposited regularly with the city treasurer in the same manner as approved for other municipal deposits.

Section 2. Water Mains.

(1) The water mains of the city shall be under the complete control of the superintendent and no person or persons other than employes of the water department shall tap, change, obstruct, interfere with, or in any way disturb the water system.

(2) Extension to water mains will be made upon proper petition to the common council, or by the initiative of the council. The council shall have the right to reject such petitions or to enter into any contract with the petitions as the council may elect.

(3) All fire hydrants connected to the water mains of the city shall be under the complete control of the chief of the fire department or his subordinate officers of the department.

Section 3. Connections

(1) Before any connection is made to any water main, application for a permit must be made in writing by the owner of the premises to be served, or by his authorized representative, at the office of the water department.

(2) All service pipe and all water piping in all premises shall be installed in accordance with the state plumbing code, and no service connection shall be made to any water main of a diameter of less than three-quarters of an inch. Any person, firm or corporation shall not interfere in any way with fixtures installed by the water department. Any plumber called upon to shut off water and drain pipes in any premises shall do so inside the property line.

(3) Where connections are provided for fire protection on any premises, or where hose connections for fire apparatus are provided, each such connection shall have not less than 25 feet of fire hose constantly attached thereto, and no water shall be taken through such opening or hose for any purpose other than extinguishing fires, except for the purpose of testing such equipment. No test of fire equipment may be conducted except by the city fire department, unless special permit be first secured from the water department.

(4) A corporation cock and meter box will be provided in place and maintained by the water department after payment of a connection fee as follows:

SIZE	FEE
5/8" - 3/4"	\$ 600.00 750
1"	650.00 800
1-1/2"	850.00 1000
2"	950.00 1100
3"	3,500.00 plus meter, material, labor
4"	3,500.00 plus meter, material, labor
6"	7,900.00 plus meter, material, labor
8"	9,400.00 plus meter, material, labor
10"	9,400.00 plus meter, material, labor
12"	9,400.00 plus meter, material, labor

Amended by 568

*Amended by 529A
Revised by Resolution
12/8/88*

The service from the property line to the building or dwelling shall be installed and maintained by the owner.

For ^{3 story some}apartments, multi-units, or trailer parks, the base connection charge shall be \$600.00 plus meter, labor and materials.

In addition to said base connection charges, all apartments, or multi-unit dwellings, including but not being limited to trailer parks, said base connection charge (\$600.00) shall be paid for the first unit, plus \$500.00 per unit for each additional unit. No more than 10 dwelling units shall be allowed under a single base water connection charge.

Said rates shall be effective for all hookups for which building permits have not heretofore been issued and the permit fees paid.

(5) When new buildings are to be erected on the site of old ones and it is desired to increase the size or change the location of the old service connection, or where a service connection to any premises is abandoned or no longer in use, the city may cut out or remove such service connection, after which, should a service connection be required to said premises, a new service shall be placed only upon the owner making application and paying for a new tap in the regular manner, and as herein provided. A service connection will be deemed to be abandoned if it has not been used for a period of 120 days or more.

Section 4. Meters

(1) All premises using water from city mains shall be metered, and payment shall be made for water at rates as herein set forth. In no case will water be supplied at fixed or flat rates except in special cases reviewed and approved by formal resolution of the council.

(2) Meters will be furnished by the water department and will remain the property of the city and will at all times be under its control.

(3) For ordinary metered consumption of water, a three-quarter-inch meter will be furnished. Where application is made for a meter larger than three-quarter-inch, special arrangements must be made between the water department and the customer and approved by the water committee.

(4) The expense of installing and maintaining meters will be borne by the city; provided, however, that where replacements, repairs or adjustments of meter are made necessary by the act, negligence or carelessness of the owner or occupant of the premises, the expense to the city caused thereby shall be charged and collected from the owner of the premises. *Amended by 568*

(5) All water furnished by the city and used on any metered premises must pass through the meter. No by-pass or connection around the meter will be permitted. If any meter becomes defective, or fails to register, the consumer will be charged at the average monthly consumption rate as shown by the meter over a period of the preceding three months when the meter was accurately registering.

(6) Where the water has been turned off by the water department for any reason, no person or persons, except authorized employees or agents of the water department, may turn it on again. Any violation hereof shall be punishable in accordance with the penalty provisions of this ordinance.

(7) The water superintendent, or his authorized agent, shall have free access at all reasonable hours to inspect any premises supplied with water. No person shall refuse to admit authorized agents of the water department to make such inspection. In case any authorized employee be refused admittance or is in any way hindered in making the necessary inspection or examination, the water may be turned off from such premises after giving 24 hours' notice to the owner or occupant thereof.

Section 5. Water Rates.

(1) For the purpose of making and collecting charges for water used by consumers, all water bills for each month shall be due and payable 15 days after the date of billing. *Amended by 529A, (2)(3)(5)(6)(8)*

(2) All charges for water supplied during any month shall be paid not later than 30 days after billing date. If the charges are not paid prior to the thirty-first day after billing, the water may be turned off from any premises against which such charges have been made. On failure to comply with the rules and regulations established as a condition to the use of water, or on failure to pay the water rents in the time and manner provided in this ordinance, the water shall be shut off until there is compliance or there is payment made of the amount due to the time the water is again turned on. There shall be a charge of \$10.00 for the expense of turning the water on after it has been shut off pursuant to the provisions of this section. *Not Raised in 1988*

(3) All residents, owners and renters alike, shall, before having water turned on in the premises they are to occupy, make a cash deposit of \$30.00 with the clerk of the water department as a guarantee of payment of current bills, and receive a receipt therefor before water service is extended to them. *Raised to 45.00 in 1988*

(4) When service is discontinued, any balance on deposit, less any sum which may be due for unpaid water bills, will be returned to that customer upon surrender of the deposit receipt.

(5) The use of water for sprinkling, irrigation or any such purpose during the time a fire is in progress is strictly prohibited, and consumers are required to shut off all such water service when the fire alarm is sounded and to refrain from such use of water until the fire has been extinguished. Failure to do so in compliance with this regulation will be grounds for discontinuance of service without notice.

(6) The following rates are hereby fixed and specified as the minimum rates to be charged each month from the date of this ordinance for all water consumed within the city of Willamina. The minimum monthly rate shall be charged each month and will not be reduced due to non-consumption of water.

Household use, single unit: First 750 cu.ft. \$10.00
Each additional 100 cu.ft. or fraction thereof .40

Raised by Resolution 12/8/88

A person who is 62 years of age or older or proven permanently disabled, with no source of income except social security or other disability payments, will be entitled to a reduced household rate of \$8.50 rather than \$10.00, on making application for such rate. The average rate shall not be reduced.

Raised to 11⁰⁰ 1988

Duplex household, motels, auto courts, trailer courts, apartments, shall, if connected all on one meter, be charged with one minimum rate of \$10.00 for one unit, and all other units shall be charged a monthly rate of \$8.00 each plus \$0.40 per 100 cu.ft., or fraction thereof, over and above monthly allowance of 750 cu.ft. total, for all water passing through such meter, and the same shall be billed monthly to the owner, agent or representative of the premises, who shall be responsible for payment of the same.

Stayed Same

(7) When a residence or business building is vacated, the meter will be read and then padlocked. Until such time as a new tenant pays the required deposit and water is turned on by the water department, no monthly charge for unused water will be made.

(8) The following rates are hereby fixed and specified as the minimum rates to be charged each month from the date of this ordinance for all chemically treated water consumed outside the City of Willamina, unless other rates are specifically negotiated and agreed upon by the city and outside users.

Household use, single unit: First 750 cu.ft. \$15.25
Each additional 100 cu.ft. or fraction thereof .60

Not Raised in 1988

Where two or more units are connected on one meter, one flat fee of \$15.25 shall be charged on one unit, with an additional fee of \$10.50 per unit additional, plus \$0.60 per 100 cubic feet, or fraction thereof, over and above a monthly allowance of 750 cu.ft. total, for all water passing through such meter, and the same shall be billed monthly to the owner, agent or representative of the premises, who shall be responsible for payment of same.

not raised in 1988

Section 6. Any applicant desiring the installation of a meter larger than three-quarter-inch shall be charged with the difference in price over that of a three-quarter-inch meter, plus connection fees and cost of materials used in said installation.

Repealed by 568

Section 7. Water Supply Cross-Connections.

(1) Purpose and Scope. The purpose of this section is to protect the public health of water consumers by the control of actual and/or potential cross-connections to customers.

(2) Definitions.

(A) "Backflow" - shall mean the undesirable reversal of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source or sources.

(B) "Backflow Prevention Device" (approved)-shall mean a device that has been investigated and approved by the regulatory agency having jurisdiction. The approval of backflow prevention devices by the regulatory agency should be on the basis of a favorable laboratory and field evaluation report by an "approved testing laboratory", recommending such approval.

(C) "Backflow Prevention Devices" (type)-shall mean any approved device used to prevent backflow into a potable water system. The type of device used should be based on the degree of hazard either existing or potential.

(D) "Contamination"-shall mean the entry into or presence in a Public Water Supply System of any substance which may be deleterious to health and/or quality of the water.

(E) "Cross-Connection"-shall mean any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. By-pass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices through which or because of which "back-flow" can or may occur are considered to be cross-connections.

(F) "Hazard, degree of"-shall be derived from the evaluation of a health, system, plumbing or pollution hazard.

(G) "Hazard, health"-shall mean an actual or potential threat of contamination of a physical or toxic nature to the public potable water system or the consumer's potable water system that would be a danger to health.

(H) "Hazard, plumbing"-shall mean an internal or plumbing type cross-connection in a consumer's potable water system that may be either a pollution or a contamination type hazard. This includes, but is not limited to, cross-connections to toilets, sinks, lavatories, wash trays, domestic washing machines and lawn sprinkling systems. Plumbing type cross-connections can be located in many types of structures including homes, apartment houses, hotels and commercial or industrial establishments.

(I) "Hazard, pollutional"-shall mean an actual or potential threat to the physical properties of the water system or the potability of the public or the consumer's potable water system but which should not constitute a health or system hazard, as defined. The maximum degree of intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance or be aesthetically objectional or could cause minor damage to the system or its appurtenances.

(J) "Hazard, system"-shall mean an actual or potential threat of severe danger to the physical properties of the public or consumer's potable water system or a pollution or contamination which would have a protected effect on the quality of the potable water in the system.

(K) "Health Division Officer"-shall mean the Oregon State Health Division Officer, or authorized agent.

(L) "Potable Water Supply"-shall mean any system of water supply intended or used for human consumption or other domestic use.

(3) Cross-Connections. The installation or maintenance of a Cross-Connection which will endanger the water quality of the potable water supply system of the City shall be unlawful and is prohibited. Any such Cross-Connection now existing or hereafter installed is hereby declared to be a public hazard and the same shall be abated. The control or elimination of Cross-Connections shall be in accordance with this ordinance and in compliance with the Oregon Administrative Rules Chapter 333 Public Water Systems Section 42-230. The Superintendent shall have the authority to establish requirements more stringent than State regulations if he

deems that the conditions so dictate. The City shall adopt rules and regulations as necessary to carry out the provisions of this ordinance. The Building Official is hereby authorized to enforce the provisions of this ordinance in the inspection of existing, new and remodeled buildings.

(4) Use of Backflow Prevention Devices.

(A) No water service connection to any premises shall be installed or maintained by the City unless the water supply is protected as required by State law and regulation and this ordinance. Service of water to any premises shall be discontinued by the City if a backflow prevention device required by this ordinance is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, by-passed, or if unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

(B) The customer's system should be open for inspection and tests at all reasonable times to authorized representatives of the City to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the Superintendent shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with the State and City statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.

(C) An approved Backflow Prevention Device shall also be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line.

(D) Backflow prevention devices shall be installed under circumstances including but not limited to the following:

(a) Premises having an auxiliary water supply.

(b) Premises having Cross-Connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not Cross-Connections exist.

(c) Premises where entry is restricted so that inspections for Cross-Connections cannot be made with sufficient frequency or at sufficiently short notice to assure that Cross-Connections do not exist.

(d) Premises having a history of Cross-Connections being established or re-established.

(e) Premises on which any substance is handled under pressure so as to permit entry into the Public Water Supply, or where Cross-Connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.

(f) Premises where materials of a toxic or hazardous nature are handled in such a way that if back siphonage should occur, a serious health hazard might result.

(g) The following types of facilities will fall into one of the above categories where a Backflow Prevention Device is required to protect the Public Water Supply. A Backflow Prevention Device shall be installed at these facilities unless the City determines that no hazard exists:

* Lumber and plywood mills

* Laboratories and clinics

* Metal Plating industries

* Sewage treatment plants

* Food or beverage processing plants

* Petroleum processing or storage plants

* Facilities with fire service lines as specified by Oregon State Health Division

* Others specified by the City

(E) The type of protective device required shall depend on the degree of hazard which exists:

(1) An air-gap separation or a reduced-pressure-principle Backflow Prevention Device shall be installed where the Public Water Supply may be contaminated with sewage, industrial waste of a toxic nature, or other contaminant which could cause a health or system hazard.

(2) In the case of a substance which may be objectionable but not hazardous to health, a double check valve assembly, air-gap separation, or a reduced-pressure-principle-Backflow Prevention Device shall be installed.

(F) Backflow Prevention Devices required by this ordinance shall be installed under the supervision, and with the approval, of the City.

(G) Any protective device required by this ordinance shall be approved by the Superintendent.

(H) These devices shall be furnished and installed by and at the expense of the customer.

(I) It shall be the duty of the customer-user at any premise where Backflow Prevention Devices are installed to have certified inspections and operational tests made at least once per year. In those instances where the Superintendent deems the hazard to be great enough he may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by a certified tester approved by the Superintendent. It shall be the duty of the Superintendent to see that these timely tests are made. The customer-user shall notify the Superintendent in advance when the tests are to be undertaken so that the Superintendent or a representative may witness the tests if so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Records of such tests, repairs and overhaul shall be kept and copies sent to the Superintendent.

(J) No underground sprinkling device will be installed without adequate Backflow Prevention Devices.

(K) Failure of the customer to cooperate in the installation, maintenance, testing or inspection of Backflow Prevention Devices required by this ordinance or by State law shall be grounds for the termination of water service to the premises.

(5) Cross-Connection Inspection.

(A) No water shall be delivered to any structure hereafter built within the City of Willamina or within areas served by City water until the same shall have been inspected by the City for possible Cross-Connections and been approved as being free of same.

(B) Any construction for industrial or other purposes which is classified as hazardous facilities where it is reasonable to anticipate intermittent Cross-Connections, or as determined by the Superintendent, shall be protected by the installation of one or more Backflow Prevention Devices at the point of service from the Public Water Supply or any other location designated by the City.

(c) Inspections shall be made at the discretion of the Superintendent of all buildings, structures, or improvements for the purpose of ascertaining whether Cross-Connections exist. Such inspections shall be made by the City.

529

(6) Liability. This section of the ordinance shall not be construed to hold the City responsible for any damage to persons or property by reason of the inspection or testing herein, or the failure to inspect or test by reason of approval of any cross-connections.

(7) Penalties. Violation of any rule or regulation contained in Section 7 shall constitute a "Class A" Infraction.

amended by 5-61

Section 8. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be fined a sum of not less than \$50.00. Violation of Section 7, a Class A infraction, will be handled thru District Court.

Section 9. Each section of this ordinance, and each paragraph of each section, is hereby declared to be separable, and the holding of any section or part thereof to be void, ineffective or unconstitutional for any cause shall not affect any other section or part thereof.

Section 10. All previous ordinances or part of ordinance inconsistent with any of the provisions of this ordinance are hereby repealed.

Section 11. The Council desires this Ordinance to go into effect on July 1, 1985.

Passed by this Council this 9 day of May, 1985.

AYES Councilmen Coddington, McNamara, Hehlen, Melugin, Phipps,
NAYS None
Carpenter

Submitted to and approved by the mayor this 9 day of May, 1985.

Kay M. Burke
MAYOR

ATTEST:

Dorlene Lee Olson
City Recorder