

WATER
Chapter 55

55. Municipal Water System

- 55.010 General Operation. The City municipal water system (hereinafter called the water system) shall be operated as a public utility and convenience from which revenue will be derived, subject to the provisions of this chapter.
- 55.015 Connection Required. Any building or structure using a water well system and located on property adjacent (abutting any property line) to a municipal water line will be notified when water is available for individual hook up. Owners that do not connect to the municipal water system within one year of this notification will be charged a quarterly water availability charge defined in 55.312 and as determined by the City on an annual basis, as set forth in Section 90.030. For those structures that currently do not have city water connections and have private wells, mandatory hookup to city water will be required prior to transfer or sale of property, or when the private well becomes non potable, whichever of said events happens first.
- 55.020 Use of Water Restricted to Authorized Persons. No person shall make, construct, or install any water service installation or make use of any water service which is connected to the water system except in the manner provided in this chapter.
- 55.030 Willful Damage to Water System. No person shall remove or damage any structure, appurtenance, or property of the water system or fill or partially fill any excavation, or raise or open any gate constructed or maintained for the water system.
- 55.040 Discontinuance of Service for Violations. Water service may be shut off at any stop box connection whenever:
- (1) The owner or occupant of the premises served, or any person working on any pipes or equipment thereon which are connected with the water system, has violated or threatens to violate any of the provisions of this chapter.
 - (2) Any charge for water, service, meter, or any other financial obligations imposed on the present or former owner or occupant of the premises served is unpaid.
 - (3) Fraud or misrepresentation by the owner or occupant of the premises served in connection with an application for services.
- 55.050 Deficiency of Water and Shutting Off Water. The City shall not be liable for any deficiency or failure in the supply of water to consumers, whether occasioned by shutting the water off for the purpose of making repairs or connections, or from any other cause whatever. In case of fire, or alarm of fire, or in making repairs or construction of new works, water may be shut off at any time and kept off as long as necessary.
- 55.060 Supply From One Service. No more than one housing unit or building shall be supplied from one service connection except by permission of the City.
- 55.070 Tapping of Mains Prohibited. No person except persons employed, hired, or approved by the City, shall tap any distributing main or pipe of the water supply system, or insert stop-cocks or ferrules therein. All water main taps must be inspected and approved by the City.

55.080 Repair of Leaks. It shall be the responsibility of the consumer or owner to maintain the service pipe from the water main into the house or building. Unless the property owner created a problem that caused the waterline to malfunction it is the city's responsibility and cost to make repairs between the watermain and the property line. In case of failure upon the part of any consumer or owner to repair any leak occurring in their pipe within twenty-four (24) hours after verbal or written notice thereof, the water will be shut off and will not be turned on until the fee as set forth in 90.030 for water turn on and water turn off as annually set by the City has been paid and the leak repaired. When the waste of water is great, or when damage is likely to result from the leak, the water may be turned off immediately pending repairs.

55.090 Existing Services.

- (1) When new buildings are erected on the site of old ones, and it is desired to increase or change the old water service, no connections with the mains shall be made until all the old service shall have been plugged as approved by the City, and any expense of the City shall be charged to the property.

55.100 Service Pipes.

- (1) Every service pipe must be laid sufficiently waving to allow not less than one (1) foot of extra length and in such manner as to prevent rupture by settlement. The service pipe must be placed no less than seven (7) feet below the surface and in all cases so arranged as to prevent rupture by freezing. Service pipes must extend from the curb box to the inside of the building; or, if not taken into a building, then to the hydrant or other fixtures which it is intended to supply. Type K copper tubing shall be used up to and including two (2) inch services. All underground joints to be mechanical, unless otherwise approved by the Plumbing Inspector. Joints on copper tubing shall be kept to a minimum, with not more than one (1) joint used for service to seventy (70) feet in length. All joints and connections shall be left uncovered until inspected and tested at normal water line pressure. All services over two (2) inches shall be cast iron. Connections with the mains for domestic supply shall be at least three-fourths (3/4) inch.
- (2) Four (4) inch cast iron service connections with four (4) inch gate valves and boxes shall be the smallest size permitted from the water main to the property line. Each cast iron service shall be rodded from the water main tee to the gate valve or as directed by the Plumbing Inspector.

55.110 Excavation and Construction Requirements.

- (1) No excavation shall be made until a permit for the connection has been issued.
- (2) No water service pipe or water connection shall be installed in the same trench, or closer than ten (10) feet horizontally to a sewer trench or drain laid, or to be laid, either in the street or in private property, except that the water pipe on private property may be in a common trench with a sewer drain which is made of cast iron soil pipe with caulked leaded joints or push-on type joints with approved rubber gaskets, and provided further that the horizontal distances between the sewer pipe and the water service is at least ten (10) feet at property line, and provided that the water service pipe approaches the sewer trench at an angle with the property line of not less than forty-five (45) degrees and having bends with not less than a three (3) foot radius.
- (3) Where it is desired to lay the water service pipe and the building drain or building sewer pipe in the same trench, or in separate trenches less than ten (10) feet apart, the water service pipe shall be above the sewer pipe and unless impractical it shall be placed at least two (2) feet above the sewer and on a solid shelf excavated at one side of the trench. The sewer pipe shall be heavy cast iron soil pipe with tested water-tight joints. the water service pipe shall be water-tight and corrosion resistant. Copper pipe and cast iron water pipe with

specially protected joints is acceptable for this construction. Cast iron pipe shall conform to the American Water Association specifications for such pipe. Bell joint clamps with rubber gaskets are provisionally acceptable as extra protection for the joints on cast iron water pipe. In all cases, precautions shall be taken to assure a firm foundation for the pipes. The intervening space between the pipes shall be back filled with compact earth.

- 55.120 Private Water Supplies. No water pipe of the water system shall be connected with any pump, well, tank, or piping that is connected with any other source of water supply.
- 55.130 Use Confined to Premises. No person shall permit water from the water system to be used for any purpose except upon their own premises unless written consent is obtained from the City.
- 55.140 Connections Beyond City Boundaries. Where water mains of the City are in any street or alley adjacent to or outside the corporate limits of the City, the Council may issue permits to the owners or occupants of properties adjacent or accessible to such water mains to make proper water service pipe connections with such water mains of the City and to be supplied with water in conformity with the applicable provisions of this chapter and subject to contract or joint powers agreement for the supply of water between the City and any other municipality.
- 55.150 Private Wells.
- (1) Private wells may be maintained and continued in use after connection is made to the water system, provided there is no means of cross connection between the private well and municipal supply at any time. Hose bibbs, that will enable the cross connection of the two systems, are prohibited on internal piping of the well supply system. The threads on the boiler drain of the well volume tank shall be removed or the boiler drain bibb replaced with a sink faucet. Where both private and City systems are in use, outside hose bibbs shall not be installed on both systems.
 - (2) All new homes or buildings shall connect to the municipal water system if a water main is available to the property unless the Council approves a private well where circumstances exist.
 - (3) Where new homes or buildings do not have a water main available to the property, the Council shall determine whether and under what conditions the municipal water systems will be extended to serve the property or a private well allowed.
- 55.152 Abandonment of Wells. On notice from the City that the building inspector has declared a well to be abandoned, such wells shall be sealed within 30 days in the manner provided by Minnesota Rules 4725.2500 to 47525.2900.
- 55.160 Use of Water for Air Conditioning. All air conditioning systems which are connected directly or indirectly with the public water system must be equipped with water conserving and water regulating devices as approved by the City Engineer.
- 55.170 Permits Required for Air Conditioning. Permits shall be required for the installation of all new air conditioning systems to the public water system. Said permit shall be on forms as provided by the City.
- 55.180 Sprinkling Regulations.
- (1) The use of the City's water supply system for customers for lawn and garden sprinkling shall be limited annually from June 1 to September 15, as follows:
 - (a) Even-numbered street addresses sprinkling is allowed only on even-numbered days.

- (b) Odd-numbered street addresses sprinkling is allowed only on odd-numbered days.
- (2) In the event of a drought, mechanical failure, or other water shortage, as determined by the public works superintendent, the City may declare a complete ban or additional limitations on water usage.
- (3) A property owner who has a newly seeded or sodded lawn, or newly planted trees or landscape materials, may request a waiver of this provision from the public works superintendent, subject to their discretion.

Anyone that violates the City's sprinkling regulations shall pay an administrative fee as set forth in Section 90.030 for each violation, in addition to any other penalties as provided in this Code.

55.200 Water Connection Applications.

- (1) All applications for service installations and for water service shall be made to the Clerk on printed forms furnished by the City.
- (2) All applications for service installations shall be made by the owner or agent of the property to be served and shall state the size and location of service connection required, and the applicant shall, at the time of making application, pay to the City the amount of fees or deposit required for the installation of the service connection as hereinafter provided. Applications for services larger than one (1) inch shall be accompanied by two sets of plans or sketches indicating preferred location of service pipe and size of service based on building demand.
- (3) When service connections have been installed, application for water service may be made to the Clerk by the owner of the premises.
- (4) The size, kind and location of water service connections and meters shall be subject to approval of the City Engineer or Plumbing Inspector.
- (5) A meter spacer with tailpiece couplings will be furnished to the contractor or plumber at the time a connection permit is issued. Meter spacers will be picked up when the City installs meters after completion of water service installation.
- (6) The plumber shall notify the City within twenty-four (24) hours after piping is complete and ready for meter installation, giving street address and permit number.
- (7) Water billing shall start at the time of installation of the water meter or, in the event the meter is not installed, seven (7) days after completion of outside piping, and shall be calculated upon the minimum quarterly rate, prorated on a monthly basis.

55.210 Water Connection Service Charges.

- (1) A permit must be obtained to connect to the existing water service leads at the curb box and interior plumbing. The fee shall be that established by the Council pursuant to Section 90.030 of the City Code.
- (2) Additional charges shall be paid at the time of making application for tapping and making connections with the water mains where a curb box and service lead is not installed, which charges shall be as follows:
 - (a) Where installation is to be in an unsurfaced street, in accordance with the fees as established by the Council pursuant to Section 90.030 of the City Code.
 - (b) In case the installation is to be upon a surfaced street, the street shall be restored in accordance with specifications made by the City Engineer, and the fee for supervising such work shall be paid to the City, in an amount set by the Council pursuant to Section 90.030 of this Code.
 - (c) For larger connections the amount to be charged shall be fixed by the City Engineer based upon the estimated cost of installing the service.

- (d) The City shall install, or have installed, all service connections from the water main to the property line. Payment for service connections must be made before the work is started.
- (3) For turning on water where service has been turned off for violation of any provision of this Chapter, the service fee shall be that established by the Council pursuant to Section 90.030 of the City Code.

55.215 City Connections for Hardships. Whenever any building has not been connected to the municipal water system as required by Section 55.015 and the Council determines that it would be an extreme economic hardship for the owner to connect to the system, the Council may by resolution direct that the water connection be made pursuant to the procedure set forth in Section 59.025.

55.220 Damage to Shut-Off Box. Before any grading or excavation is started, the water shut-off box shall be located and checked for damage by the Plumbing Inspector at the time connection permit is issued. If the shut-off box cannot be located or is found bent or in a damaged condition, the Plumbing Inspector is to be called at once. The contractor assumes all responsibility for damage to shut-off box unless the Plumbing Inspector certifies that damage existed before excavation or grading started.

55.230 Time for Connections. If, from any cause, the plumber or contractor laying the service pipe should fail to have the connection made at the time specified in their application, notice must be given the Plumbing Inspector, fixing another day on which the plumber or contractor wishes to make connection. The notice must be given at least two (2) days previous to the excavation for laying of the service pipe, and the connection must be made before 4:00 p.m., except in special cases, and then the work shall be done only upon a written order from the Plumbing Inspector.

55.240 Property Assessments. The permit fee for water main tapping shall be paid for each connection in the amount specified in Section 55.210. In addition thereto, before any permit shall be issued, the following conditions shall be complied with:

- (1) No permit shall be issued to tap or connect with any water main of the City directly or indirectly from any lot or tract of land unless:
 - (a) Such a lot or tract of land has been fully assessed for the construction cost of the water system to which the connection is made, or
 - (b) If no full assessment has been levied for such construction cost, the proceedings for levying such assessment have been or will be completed in due course.
- (2) If the above conditions have not been met, no permit to tap or connect to any water main shall be issued unless the applicant shall pay an additional connection fee which shall be equal to the portion of the construction cost of the said water system which would have been assessable against said lot or tract to be served by such tapping connection. Said assessable cost shall be determined upon the same basis as any assessment previously levied against other property for the said water system, including interest at the same rate of interest as charged on the most recent City local improvement, which interest may be waived or decreased on determination by the City Engineer that the improvement was not available for utilization to the subject property until a later date.

If no such assessment has been levied, the assessable cost will be determined upon the basis of the uniform charge which may have been or which shall be charged for similar tapping or connection with said main, determined on the basis of the total assessable cost of said main, allocated on a frontage basis, acreage basis, or both.

- (3) If unit charges were uniformly levied against other improved property as part of the assessment proceedings for the said water system, no permit to tap or connect to any water

main shall be issued unless the applicant shall pay an amount equal to the unit charges, based upon the same formula, levied upon other improved property.

55.242 Additional Unit Assessments.

- (1) Prior to making any improvement which requires a building permit to an existing commercial or business structure upon which unit charges were uniformly assessed, the owner shall be assessed an additional unit charge based on the square footage to be added.
- (2) The unit charge shall be based upon the same criteria as the original unit charge, as certified by the City Engineer.
- (3) Such unit charge shall be paid in full prior to the issuance of a building permit for such improvement.

55.250 Location of Stop Boxes. Curb stop boxes will be installed at a point on the property line most suitable to the property and shall be left in an accurate position when back filling is completed. Curb stop boxes will be installed at an approximate depth of seven (7) feet below the grade established by the Plumbing Inspector. Type K copper tubing shall be used for installation of water services.

55.260 Supervision by Plumber. All piping connections from curb box to house supply piping shall be made under the supervision of a plumber.

55.270 Turning on Water. No person, except an authorized City employee, shall turn on or off any water supply at the stop box without permission from the Plumbing Inspector.

55.280 Commencement of Charges. Water charges shall commence 30 days after permit for inside water connection is issued.

55.300 Accounts, How Kept. All accounts shall be kept by the house and street number and under the account number assigned thereto, and by the name of the owner or of the person signing the application for service. All bills and notices shall be sent to the house or street number of the property. If non-resident owners or agents desire personal notice sent to a different address, they shall file an application therefore with the Clerk. Any error in address shall be promptly reported to the Clerk.

55.310 Water rates.

- (1) The rate due and payable by each user for water taken from the City water system shall be that amount established by resolution of the City Council each year in accordance with Section 90.030.

55.312 Water Availability Use Charges.

- (1) Purpose: The cost of making water available to property owners includes the cost to maintain storage tanks, elevated tanks, wells and hydrants, flushing and checking of lines. All of the foregoing enable the City to acquire and maintain a lower fire rating to all property owners. The purpose of the water availability charge is to insure that all property owners that have the availability of water pay their fair cost of maintaining the distribution system.
- (2) Charge: Each owner of a residential, commercial or industrial structure which has an available municipal water line, whether connected or not, shall pay an availability use charge as annually established pursuant to section 90.030.

- 55.320 Payment of Charges. Any prepayment or overpayment of charges may be retained by the City and applied on subsequent quarterly statements.
- 55.330 Payment of Charges. Statements for water charges for the preceding quarterly period shall be mailed to each customer on or before the 10th day of January, April, July and October of each year. Such statements shall be due and payable to the City Treasurer on or before the 10th day of the month following the month the bills were mailed.
- 55.332 Penalty for Late Payment. If the water charge is not paid when due, in accordance with Section 55.330, then a penalty as annually determined by the City pursuant to 90.030 shall be added.
- 55.340 Action to Collect Charges. Any delinquent amounts outstanding constitute a lien against the property pursuant to Minnesota Statutes. Periodically, the City may certify delinquent amounts for collection with taxes. The timing and threshold for determining the accounts to be included in the certification process will be determined annually by the City. Owners of affected properties shall have the option of paying the balance due on the account until the date the notice of the certification is mailed. After the date of notice of certification hearing is mailed, payments will still be accepted but the amount due will include a pre-certification penalty fee charged to affected accounts. The certification notice will provide an opportunity for the account holder to schedule a hearing to object to the proposed certification of unpaid utility charges. If no objection is raised, or if the objection is sustained, the delinquent amount due plus additional certification penalties as determined annually by the City may then be collected in an action brought for that purpose in the name of the City, or the City Clerk may certify to the County Auditor the amounts due (with penalty) together with a legal description of the premises served, and the County Auditor shall thereupon enter such amount as part of the tax levy on said premises to be collected during the ensuing year.
- 55.400 Water Meters. Except for extinguishment of fires, no person, except authorized City employees, shall use water from the water system or permit water to be drawn therefrom, unless the same be metered by passing through a meter supplied or approved by the City. No person not authorized by the City shall connect, disconnect, take apart, or in any manner change, or cause to be changed, or interfere with any such meter or the action thereof.
- (1) Water meters of less than one (1) inch shall be purchased from the City and become the property of the customer. Remote reading devices on water meters will be required except where otherwise determined by the City. The location of remote reading devices shall be determined by the City.
 - (2) The City shall maintain and repair all water meters of less than one (1) inch size when rendered unserviceable through ordinary wear and tear and shall replace them, if necessary. However, where replacement, repair, or adjustment of any meter is rendered necessary by the act, neglect, including damage from hot water backup, or carelessness of the owner or occupant of any premises, any expense caused the City thereby shall be charged against and collected from the water consumer.
 - (3) A consumer may, by written request, have their meter re-read by depositing an amount annually determined by the City with the Clerk. In case a test should show an error of over five percent (5%) of the water consumed, the deposit will be refunded to the consumer, a correctly registering meter will be installed, and the bill will be adjusted accordingly if the meter erred in favor of the City. Such adjustment shall not extend back more than one billing period from the date of the written request.
 - (4) Water meters of one (1) inch and larger size, with remote reading device, shall be supplied by the customer or be purchased through the City and be of a kind approved by the City. Such meters shall be maintained in good repair by the customer.

- (5) Authorized City employees shall have free access at reasonable hours of the day to all parts of every building and premises connected with the water system for reading of meters and inspections.

55.410 Water Meter Setting. All water meters hereafter installed shall be in accordance with the following rules:

- (1) The service pipe from the water main to the meter, when the same enters the building, shall be brought through the floor or bottom course of concrete block of foundation.
- (2) The meter shall be located so that the bottom is from twelve (12) inches to twenty-four (24) inches above the finished floor line.

The meter shall be set out not more than twelve (12) inches measured horizontally from the inside line of the basement wall, unless an alternate method is approved by the Plumbing Inspector.

- (3) All meter installations shall have a stop and waste gate valve on the street side of the meter. In no case shall there be more than twelve (12) inches of pipe exposed between the point of entrance through the basement floor and the stop and waste gate valve. A stop and waste gate valve shall also be installed on the house side of the meter. All fittings and pipe to be red brass, or bronze. Gate valves shall be brass, one hundred twenty-five (125) pounds standard.

55.420 Use of Fire Hydrants. No person other than authorized City employees shall operate fire hydrants or interfere in any way with the water system without first obtaining a permit to do so from the City as follows:

- (1) Permit to use a fire hydrant shall be issued for each individual job or contract and for a minimum of seven (7) days and for such additional seven (7) day periods as the City shall determine. The permit shall state the location of the hydrant and shall be for the use of that hydrant and none other.
- (2) The user shall make a deposit in an amount annually determined by the City pursuant to Section 90.030 to guarantee payment for water used and to cover breakage and damage to hydrant, which shall be refunded upon expiration of the permit, less applicable charges for use.
- (3) The user shall pay a rental charge as annually determined by the City pursuant to Section 90.030.

55.430 Temporary Connection to Fire Hydrants. An owner of a private water system may make a temporary above-ground connection to a fire hydrant, subject to the time periods, conditions and payment specified in Section 55.420. In addition, the method of connection to the private system shall conform to all existing requirements of the Code and the type of meter used shall meet the approval of the Plumbing Inspector.

55.450 Hydrant Location Flags. Each hydrant shall have thereon a metal location pole and flag of a kind approved by the Fire Chief, at the expense of the person constructing the water line and appurtenances.

55.460 Miscellaneous Provisions.

- 1) If the City or Public Services Director determines that a portion of the water measured by the water meter does not and cannot enter the sanitary sewer system, then the City may permit or require the installation of other additional meters in such a manner that the quantity of water which actually could enter the sewer system may be determined.

- (2) The owner or occupant in charge of any premises shall supply the City with such information as the City may reasonably require related to the use of a private water system.

55.500 Plumbing Inspector. The Plumbing Inspector shall determine that the kind and manner of water connections are in conformance with this chapter. The Plumbing Inspector shall have authority to direct the method and manner of water connections where not otherwise covered by this chapter.

(Source: Ord. 201; Ord. 212; Ord. 248; Ord. 253; Ord. 265; Ord. 274; Ord. 301; Ord. 304; Ord. 311; Ord. 333; Ord. 337; Ord. 339; Ord. 347; Ord. 354; Ord. 361; Ord. 375; Ord. 377; Ord. 378; Ord. 396; Ord. 453; Ord. 472; Ord. 514; Ord. 525, Ord. 590, Ord. 627, Ord. 665, Ord. 685, 11-4-2015)