

## CHAPTER VI

### MUNICIPAL WATER

#### SECTION VI-1. GENERAL PROVISION.

##### A. SERVICE APPLICATION AND CONNECTION.

No water from the City Water supply shall be turned on for service into any premises by any person unless application therefor has been made to the City Clerk. That upon the filing of said application, the City shall cause to be installed a service line from the water main to the property line of the applicant and shall connect said line to the service line of the premises.

##### B. UTILITY SUPERINTENDENT.

The waterworks system for the City shall be under the immediate charge of the utility superintendent who shall at all times be accountable to the governing body of the City. The utility superintendent shall be appointed by the mayor with the consent of the governing body.

##### C. METERS.

That all water furnished by the municipal water plant of this City shall be measured by meters.

The City's responsibility stops at the meter.

That the customer shall be responsible for the care of the meter together with the meter box or vault and the appurtenant connections and appliances, installed upon his or her service connection, for any accidental or wilful injury thereof, whether by his own act, or that of others not in the employ of the City, and shall at all times when any meter is installed protect said meter from freezing and from damage from heat, hot water, or steam. In the event of any accidental or wilful injury by frost or freezing of any meter, or injury by hot water, heat, or steam as aforesaid, the customer shall promptly notify the City Clerk, who shall arrange to have the necessary repairs made and charge the cost of repairs to the customer.

##### D. READING METERS AND RIGHT OF ACCESS.

Authorized employees of the City may enter upon any premises at reasonable hours for the purpose of reading the meter or servicing or inspecting meters or water lines. Meters shall be installed in a location which will be easy of access and the City shall cause to be read every meter used in the City at such times as when necessary for bills to be sent out at the proper time.

#### E. METER TESTING.

Meters shall be tested before being set and at any other time thereafter when they appear to be measuring incorrectly. If a test is requested by the customer and the meter is found to be accurate within two (2) percent, the meter will be deemed correct and charge of \$10.00 will be made to the customer.

#### F. QUANTITY OF METERED WATER.

That the quantity of water recorded by the meter shall be conclusive evidence on both the City and the consumer as to the quantity to figure the cost to the consumer, except when the meter has been found to be defective or has ceased to register. In such case, the quantity of water shall be determined by the average daily registration as shown by the meter when in order.

#### G. TAMPERING WITH METER.

It shall be unlawful for any person to break the seal of any meter, to alter the register or mechanism of any meter, or to make any outlet or connection in any manner so that water supplied by the City may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee of the water department to turn any curb cock on or off.

#### H. METER REMOVED OR REPAIRED.

That no meter shall be removed or repaired except by employees of the City under the direction of the Superintendent.

#### I. CHECK VALVES.

Check valves are required on all connections to steam boilers or on any other connection deemed necessary by the Superintendent. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of 40 pounds per square inch.

#### J. CURB COCKS.

There shall be a curb cock in every service line attached to the city main, the same to be placed within the meter box. Curb cocks shall be supplied with strong and suitable "T" handles.

K. SERVICE PIPES.

That all service pipes in the City shall be brass, copper, cast iron, or PVC, and shall be laid not less than thirty (30) inches below the established grade or as low as the street mains.

L. SPECIAL PERMISSION.

That unless special permission is granted by the Superintendent of the Water Plant, each premise shall have a separate and distinct service connection, and where permission is granted for branch service pipes, each branch service pipe must have its own curb cock and separate meter.

M. SERVICE NOT GUARANTEED.

The City does not guarantee the delivery of water through any of its mains and connecting services at any time except only when its mains, pumping machinery, power service connection are in good working order, and the supply of water is sufficient for the usual demand of its consumers.

N. INTERRUPT SERVICE.

The City reserves the right to interrupt water service for the purpose of making repairs or extensions to water lines or equipment.

O. EXCAVATIONS.

That all taps be driven, street excavations made, corporation cocks inserted, pipes installed from main to curb, and the curb cock and meter installed in the meter boxes to which the service pipe is to be connected by the city employees only. All connections at the main must be made with copper pipes and fittings or other materials deemed acceptable by the Superintendent. It being understood that the meter and all material used to make such connections up to and including the meter box shall remain the property of the City.

That all excavations made by plumbers in public grounds shall not be kept open longer than is absolutely necessary to make the connections required and while open shall be protected by suitable barriers, guards, and lights as provided in the ordinances of the City, and the backfilling shall be thoroughly compacted and left in a condition satisfactory to the City Services Superintendent, and where such excavations are unsatisfactorily filled, the City Services Superintendent shall place same in a satisfactory condition, and the cost thereof shall be charged to the plumber.

P. WASTING WATER.

Water users shall prevent unnecessary waste of water and shall keep sprinklers, hydrants, faucets and all apparatus, including the service line leading from the property to the meter in good condition at their expense. That no allowance under any circumstances shall be made for water used, lost or wasted through leaks, carelessness, neglect, or otherwise after the same has passed through the meter.

Q. WATER RATIONING.

The City reserves the right to restrict or prohibit the use of water and to specify the purposes for which it may be used whenever the governing body determines the public exigency so requires. Whenever the governing body determines that water used must be restricted or prohibited, it shall forthwith issue a proclamation of emergency through the news media and use other appropriate methods of making public the proclamation.

R. USE DURING FIRE.

No person owning or occupying premises connected to the municipal water system shall use or allow to be used during a fire any water from the water system except for the purpose of extinguishing the fire. Upon the sounding of a fire alarm it shall be the duty of every such person to see that all water services are tightly closed and that no water is used except in extraordinary cases of emergency during the fire. Further, that all consumers of the City's water are hereby notified that in case of fire, all the mains are subject to fire pressure and that no claims will be allowed against the City for any leaks or rupture caused by said fire pressure. Pressure regulator or relief valves should be placed on all service pipes or lines that are liable to rupture under the fire pressure.

S. CROSS CONNECTIONS PROHIBITED.

*amended by Ord. No. 443*  
*inst. repealed by Ord. No. 443*

No person, firm, or corporation shall make or permit to be made a cross connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the city may enter the supply or distribution system of the City of Buhler. Unless such private, auxiliary, or emergency supply and the method of connection and the use of such supply have been approved by the governing body and the Kansas Department of Health and Environment.

T. PROHIBITED ACTS.

IT IS SHALL BE UNLAWFUL FOR ANY PERSON TO:

(a). Tamper, damage or meddle with any watermain, fire hydrant, or any other water equipment belonging to the city;

(b). Make any connection to the water system of the city without a written permit from the city;

(c). Reconnect service when it has been discontinued for nonpayment of a bill for service.

U. UTILITY DEPOSIT.

That any business, party, or individual that requests water service from the City, who has not previously been served by city services within the last three years, shall place with the City Clerk a deposit in the sum of \$25.00, and a receipt thereof shall be issued to each such depositor. = 50.00

*\* Amended by Ord No. 433*

*433  
for all  
chgs.*

The deposit so made shall be kept by the City Clerk in a separate account and deposited in a fund designated as the "meter deposit fund". Interest shall be payable at the rate determined by the State Corporation Commission.

The City Clerk may return said deposit at the Clerk's discretion, or upon the discontinuance of any service at the request of the depositor, the deposit shall be refunded together with the interest less any amount due and owing the City for services furnished prior thereto.

Any security deposit not refunded within three years after discontinuance of service shall be deposited in the water fund of the City upon compliance with the provisions of K.S.A. 12-822 as amended.

V. BILLS.

That the City Clerk or designated employee shall figure all consumers bills from the meter reading reports and shall post all meter readings and amounts consumed in suitable records books. They shall make out monthly bills and supervise collections.

SECTION VI-2. RATES, FEES, AND CHARGES FOR THE USE OF MUNICIPAL WATER.

*Sec. 2nd no. 433 Section VI-2 amended by 433*

*433 Replaced by 469  
Sec. 2nd no. 469*

A. CHARGES.

(a). 3/4 inch meter or smaller.

1. For the first two thousand (2,000) gallons of water per month, a minimum charge of \$7.50.

2. For the next three thousand (3,000) gallons of water per month a charge of \$0.70 per one thousand (1,000) gallons;

3. For the next five thousand (5,000) gallons of water per month, a charge of \$0.60 per one thousand (1,000) gallons; and

4. For all over ten thousand (10,000) gallons of water per month, a charge of \$0.50 per one thousand (1,000) gallons;

Provided, that the minimum charge for water service furnished by the Waterworks System of said City to such users shall be \$7.50 per month.

(b). Any meter over 3/4 inch.

1. For the first two thousand (2,000) gallons of water per month, a minimum charge of \$12.50;

2. For the next three thousand (3,000) gallons of water per month, a charge of \$0.70 per one thousand (1,000) gallons;

3. For the next five thousand (5,000) gallons of water per month, a charge of \$0.60 per one thousand (1,000) gallons; and

4. For all over ten thousand (10,000) gallons of water per month, a charge of \$0.50 per one thousand (1,000) gallons;

Provided, that the minimum charge for water service furnished by the Waterworks System of said City to such users shall be \$12.50 per month.

#### B. MUNICIPAL WATER BEYOND CORPORATE LIMITS.

(a). For the first two thousand (2,000) gallons of water per month, a minimum charge of \$12.50;

(b). For the next three thousand (3,000) gallons of water per month, a charge of \$0.70 per one thousand (1,000) gallons;

(c). For the next five thousand (5,000) gallons of water per month, a charge of \$0.60 per one thousand (1,000) gallons; and

(d). For all over ten thousand (10,000) gallons of water per month, a charge of \$0.50 per one thousand (1,000) gallons.

Provided, that the minimum charge for water service furnished by the Waterworks System of said City to such users shall be \$12.50 per month.

SECTION VI-3 *See Ord No 430 Section 3 amended by 436 Repealed* INSTALLATION RATES FOR WATER METERS. *See Ord. No. 469*  
*See also Ord No 489 re: additional charge in Edison Suburban*

#### A. FAIR AND REASONABLE.

That the following installation rates are fair and

reasonable and bear a substantial relationship to the costs involved in providing water service to a resident.

B. INSTALLATION.

- |   |          |
|---|----------|
| (a). 3/4 inch meter inside<br>the corporate limits of Buhler  | \$150.00 |
| (b). 3/4 inch meter outside<br>the corporate limits of Buhler | \$250.00 |
| (c). Any meter in excess of 3/4 inch                          | \$500.00 |

SECTION VI-4. DELINQUENT WATER ACCOUNTS.

A. DELINQUENCY CHARGE.

*Amended  
Ord 441*

All bills for the use of water shall be due on receipt and payable by the 19th of each and every month. All bills remaining unpaid after the 19th day of each and every month are hereby declared delinquent. A 10% penalty shall be assessed to any unpaid account at the time of the following months billing.

B. TERMINATION OF WATER SERVICE.

1. Unpaid water accounts will be delinquent, as stated in subsection A above, after the 19th of the month. After such delinquency, a notice of delinquency and right of hearing shall be served upon the customer. For the purposes of this ordinance the notice shall be served upon the customer in any of the following manners:

(a). Personal service on the customer by a city employee or city agent; or

(b). Tacking a copy of the notice to the front door of the residence of the customer as shown by the City records; or

(c). The mailing of a copy of the notice to the customer at his address as shown on the City record by certified first class mail, postage prepaid. *Amended - Ord 441*

Said notice shall inform the customer that the customers water bill is delinquent and the customer has the right to make written application to the City Clerk for a hearing as to the delinquency within 10 days of the date of notice, and that if the customer does not pay the bill, plus any delinquency charge, within the time specified or apply for hearing within the same time, the customer's water service shall be cut off.

C. STANDING COMMITTEE.

The mayor shall appoint a standing committee of three council persons to hear such disputes. The committee is empowered to make adjustments on the City's billing for water

usage, whether commercial or residential, when the committee deems appropriate.

D. NOTICE.

With notice of the time and place of any hearing requested by a customer notice shall be given by the City Clerk to the customer, and shall be served upon the customer as provided in Section 4-B herein and the customer shall have an opportunity to appear at such hearing in person or by attorney. After any hearing any water bill determined to be due and owing by said committee shall be paid within one business day after the committee's determination.

E. TIME.

If payment of the account is not made in full, or a request for hearing is not received by the City Clerk within a 10 day period, or after a hearing if the account has not been paid in full within one business day, the water service shall be terminated and cut off by the City. There shall be a turn on charge of \$15.00, along with the payment of all delinquent water bills and penalties, to be paid by the customer in advance of water service being restored by the City.