

## ORDINANCE # 121C

### AN ORDINANCE ESTABLISHING RULES AND REGULATIONS OF WATER CONNECTIONS AND RATES PERTAINING TO SAME

THE CITY COUNCIL OF THE CITY OF STOCKTON, MINNESOTA, DOES HEREBY ORDAIN AS FOLLOWS:

#### **SECTION 1. GENERAL PROVISIONS OF WATER SYSTEM**

**1.01 Use of Water System Restricted.** No person(s) other than a City of Stockton Public Works employee shall uncover, make or use a water service that is connected to the City water system, except by application and permit as provided in this chapter.

#### **1.02 Application for Services.**

**Subdivision 1. Procedures.** Application for water service installation must be made by the owner of the property to be served. This application must state the location of the service connection required and must be made at the Stockton City Clerk's office on forms provided by the City. The applicant's signature will be an agreement to conform to this chapter and to rules and regulations that have been or may be established by the City of Stockton as conditions for use of the water service. No water connection will be made to the Stockton Water System without an application being on file.

**Subdivision 2. Service Area.** The City of Stockton will not provide a connection to City water services for any owners or occupants of properties that are located outside the territorial boundaries of the City, without said properties first being annexed into the City.

**Subdivision 3. Fees.** All applicants will, at the same time of making application, pay to the City of Stockton the amount required for the water access connection fee, the water meter fee and the water application/plumber permit fee. The amount of these fees is provided on the annual fee schedule established by the Stockton City Council. All water meters connected to the City Water Service will be owned by the City of Stockton. Installation of the water meter and outside meter must be done by a licensed plumber and any costs associated with this installation are the responsibility of the property owner. Water will only be turned on at the curb stop, by the City, when installations of both inside meter and outside reader have been installed. A fine will be imposed for not being in compliance, (see fee schedule), a notice will go out to the homeowners to fix the problem within 10 business days. If not fixed in 10 business days, the water will be shut off until the problem is fixed.

#### **1.03 Accounting, Billing, and Collection.**

**Subdivision 1. Bills for Service.** Charges for the water service will be billed on a monthly basis, starting at the time the water meter is installed. The base fee shall be pro-rated for the number of days of water service usage during the month of installation. The fee schedule of water rates is available for inspection at the office of the City Clerk. Bills are mailed to the customer monthly and are due on the date specified on the bill. If the water service bill is not paid when due, a finance charge of 10% will be added to the monthly bill. All bills will be sent to the property owner, and they will be liable for any unpaid charges whether the owner is occupying the property or not. Any unpaid charges will be considered a delinquent account.

**Subdivision 2. Meter Reading.** It is the responsibility of the property owner or occupant of the property to read the meter on a monthly basis, which is due with payment, and submit this reading to the City Clerk's office. This is required even if the account carries a credit. Failure to provide a monthly water meter reading will result in the water usage being estimated and a "Progressive No Read Fee" being added to the monthly bill. The water estimation will be figured by using the average of the previous 6 months of water usage. If the water service has been connected less than 6 months, the estimation will be figured by using the average of the number of months it has been connected. The amount of the "Progressive No Read Fee" is provided on the annual fee schedule established by the Stockton City Council.

**Subdivision 3. Delinquent Accounts.** The City will endeavor to collect delinquent accounts promptly. When accounts have been delinquent for 2 months, a disconnection letter will be sent by mail and a disconnection notice will

be hung on the door of the property that has delinquent water service charges. The deadline for payment of the delinquent account will be stated on both the letter and the door notice. If the delinquent amount is not **paid in full** by the deadline, the water will be disconnected at the curb stop box the following day after 1:00 PM. If disconnection does occur, the water will not be turned back on until the past due amount plus a disconnection and reconnection fee are **paid in full**. The disconnection and reconnection fees are listed on the annual fee schedule established by the Stockton City Council. Please note that water service will not be restored on Saturdays, Sundays or Holidays, or after 4:00PM on normal work days. Accounts that remain delinquent will be certified by the City Clerk and assessed against the respective properties. The amount to be assessed shall include the delinquent amount plus finance charges and administration fees. The assessment roll shall be delivered to the City Council for adoption on or before November 15<sup>th</sup> of each year for certification to the County Auditor for collection along with taxes.

## **SECTION 2. WATER SYSTEM**

### **2.01 General Water Regulations.**

**Subdivision 1. Discontinuation of Service.** The City may discontinue service to any water consumer without notice for necessary repair, or upon notice as provided in Section 1.04, Subdivision 3 for non-payment of charges, or for violations of the rules and regulations that are stated in this ordinance.

**Subdivision 2. Supply from one service.** No more than one house or building will be supplied from one service connection except by special permission from the Stockton City Council. Whenever two or more parties are supplied from one pipe connecting with a service main, each building or part of a building separately supplied shall have a separate valve and separate meter.

**Subdivision 3. Turning on Water. Tapping Mains.** No person except an authorized City of Stockton Public Works Department employee shall turn on any water supply at the curb stop box or tap any distributing main or pipe of the water supply system or inset a stop cork or other appurtenance therein without a City permit. All piping connections from the curb stop box to the building supply piping shall be made under the supervision of a licensed plumber and all connections to the City water supply must be inspected by the City of Stockton Public Works Department. Tapping mains or turning on water without city authorization will result in a fine. The amount of the fine is provided on the annual fee schedule established by the Stockton City Council.

**Subdivision 4. Repair of Leaks.** The City of Stockton Public Works Department will make a determination, based on information supplied by the property owner or available to the city, whether a problem exists in the portion of the water service which is the City's responsibility or if it is in the portion of the water service which is the property owner's responsibility. The City is responsible for correcting problems from the water main to the curb stop box and the property owner is responsible for correcting problems from the curb stop box to the building served by water. If the property owner fails to repair any leak in such service within 24 hours after notice by the City, the City may turn the water off. When the waste of water is great or damage is likely to result from the leak, the City will turn the water off immediately and then notify customers affected by the water shutoff.

**Subdivision 5. Use of Hydrants.** No person other than an authorized Stockton City employee, or the Fire Department in the course of extinguishing fires, will be allowed to use a fire hydrant or interfere in any way with the City water system. To request bulk water an application must be filled out and on file with the City Clerk and permission must be obtained from the Public Works Department, before any water is drawn. Water drawn without filing an application with the City Clerk and obtaining permission from the Public Works Department will result in a fine. The amount of the fine is provided on the annual fee schedule established by the Stockton City Council. (Reference Section 2.02 Meters, Subdivision 1)

**Subdivision 6. Private Water Supply.** No water pipe of the City water supply system will be connected with any pump, well, or tank that is connected with any other source of water supply. When any such connection is found, the property owner will be notified by the Public Works Department to immediately sever the connection. If this is not done, a Public Works Employee will immediately turn off the water supply. Before any new connection to the City system is permitted, Public Works employees will ascertain that no cross connections will exist when the new connection is made. The MPCA may impose fines upon property owners that are found guilty of cross connection

contamination.

**Subdivision 7. Private Wells.** Repairs or maintenance will be acceptable such that it meets the definition provided by Minnesota State Statute 4725.3750. The construction of any new wells must follow the Environmental Services Guidelines for Winona County, Minnesota. New well construction must also meet the guidelines of the Stockton Subdivision Ordinance.

**Subdivision 8. Abandoned or Unused Services.** If the premise served by water has been abandoned, or if the service has not been used for one year, the service will be shut off at the curb stop box by the Public Works Department and the water meter will be removed. 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 will be made until the old service has been removed and the main taps are plugged or a yoked connection is installed by the Public Works Department, at the owner's expense.

**Subdivision 9. Winter/Extended Vacation Rates.** Property owners and or occupants of the property that go on extended vacations for more than 1 month, may pay a reduced base fee for the months they are gone, as long as notification has been made at the City clerk's office prior to leaving. The property owners or occupants must be current on their account before leaving and arrangements must be made prior to leaving on how the bills will be paid during their absence. Once the property owner and or occupants of the property return, the base rate will return to normal and water usage will be billed as usual.

**Subdivision 10. Location of Curb Boxes.** Curb stop boxes will be installed on the right-of-way line or easement limits to be best suitable to the property and will be left in a vertical position when backfilling is completed. Curb stop boxes will be installed at an approximate depth of seven feet below the finished ground elevation and the top of the curb stop box will be adjusted to be flush with the finished ground elevation. No person will erect any fence or plant any tree or other landscaping within a 10-foot radius of the curb stop box that would obstruct the use of the curb stop box or cause damage to the same.

**Subdivision 11. Restricted Hours.** Whenever the City Council or Public Works Department determines that a shortage of water supply threatens the City, it may, by order, limit the times and hours during which city water may be used for sprinkling, irrigation, car washing, or other specific uses.

## **2.02 Meters**

**Subdivision 1. Meters Required.** Meters will be installed on the water valve inside the house and also on the outside of the house, regardless of whether inside piping is connected. No person unauthorized by the City will connect, disconnect, take apart, or in any manner change or interfere with any such meter or its use. Except for extinguishing fires, no person other than an authorized Public Works employee will use bulk water from the City water supply system or permit water to be drawn unless the water passes through a meter approved by the City.

**Subdivision 2. Maintenance.** The City, at its' own expense, will maintain, repair and replace if necessary, any inside meter and /or outside meter that has become unserviceable through ordinary wear and tear. When repair or replacement is made necessary because of carelessness, negligence, or damaging actions of the owner or occupant of the premises it serves, (including damage from freezing or hot water backup) the expenses incurred by the City for repairs or replacement, will be billed to the property owner. Water service may be discontinued until the problems caused by the owner or occupant's negligence, have been resolved and the amount billed has been paid in full.

**Subdivision 3. Meters Property of the City.** Inside and Outside Water Meters will be the property of the City and may be removed or replaced as to size and type when deemed necessary by the Public Works Department. The exception being the Country Valley Mobile Home Park in which the city will own only the compound meter that is connected to the city water main. The individual meters connected to each of the mobile homes in the park will be owned and are the responsibility of the Country Valley Mobile Home Park owner. ■

**Subdivision 4. Meter Reading and Inspection.** Authorized Public Work employees will have free access at all reasonable hours of the day to all parts of every building or premises connected to the City Water Supply System, in order to read meters and to make all necessary inspections of pipe and apparatus used in supplying water. It will be the responsibility of the property owner to notify the City to request a final reading at the time of the customer's

billing change. If access is not granted, the City shall contact the property owner and arrange an appointed time to view the water supply system.

**Subdivision 5. Meter Testing.** A consumer may request to have his or her meter tested if they feel it is not registering properly. If tests results show an error of over 5% of the water consumed, a correctly registering meter will be installed, and the bill will be adjusted accordingly. This adjustment will not extend back more than one billing period from the date of request. In case the meter is found to have stopped working or to be operating in a faulty manner, the amount of water used will be estimated in accordance with the amount used previously in comparable periods of the year. Any meter testing costs and meter replacement or repair costs, will be borne by the homeowner, if damages to the meter are because of carelessness, negligence, or negative actions of the owner or occupant of the premises it serves, (including damage from freezing or hot water backup).

**Subdivision 6. Consumer Line Needs.** When a commercial consumer has a need for a larger line, as in the case of a commercial consumer requiring a one-inch line normal use and a six-inch or larger line for a fire sprinkler system, the consumer will be permitted to run one line into the premises and “Y” off into two lines at the building., When this is done, the meter will be attached to the smaller line and a check valve as well as one-inch detection meter shall be put on the larger line.

**2.03 Plumbing Regulations.** The provisions of the Minnesota Plumbing code formulated by the State of Minnesota Department of Health are adopted as the plumbing code of the City of Stockton and incorporated herein by reference.

**2.04 Liability for Expenses, Loss or Damage.** Any person violating any of the provisions of this ordinance will become liable to the City for any expense, loss or damage occasioned by the City by reason of the violation.

**SECTION 3. ADMINISTRATION**

**3.01 Repeal.** That certain ordinance entitled “Ordinance #121B, An Ordinance establishing rules and regulations of water connections and rates pertaining to same”, adopted May 28, 2013, and any other ordinance that is inconsistent with this ordinance is hereby repealed

**3.02** Any unknowns or undefined as of this ordinance shall be subjected to the Stockton City Council.

**EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after the date of passage, approval and publication according to law.

Passed and adopted by the City Council of the City of Stockton this 8<sup>th</sup> day of March, 2016.

\_\_\_\_\_ signed \_\_\_\_\_  
David Johannes, Mayor

ATTEST:

\_\_\_\_\_  
Bethany Winchester, Clerk-Treasurer

(seal)

City of Stockton  
P.O. Box 239  
Stockton, MN 55988  
(507) 689-2005

Water Application for Service

Date information received: \_\_\_\_\_ Staff: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Location of Street Address: \_\_\_\_\_

**Important: Please report change of address or address correction promptly to City Hall.**

Phone Number: \_\_\_\_\_ Cell: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Account billed to (if different): \_\_\_\_\_

Email: \_\_\_\_\_

Plumber Contractor: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

State License No.: \_\_\_\_\_

Phone: \_\_\_\_\_

GENERAL INFORMATION

A final date must be provided PRIOR to moving out so that the City can order the meter read. Owner will be responsible until a final read is taken.

Bills are sent out monthly. If payment is not received by the due date on the statement or invoice, a 10% penalty will be charged to the account. The City of Stockton will give notice to discontinue water service to accounts remaining 60 or more days delinquent after the due date.

An amount due for water and sewer charges may be certified to the county auditor for collection with real estate taxes in accordance with MN Statutes 444.075. This certification will be made regardless of who applied for water services, whether owner, tenant or other person.

\_\_\_\_\_  
Signature of property owner

\_\_\_\_\_  
Signature of City Clerk – Treasurer

\_\_\_\_\_  
Date

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**Office Use:**

Pressure Reading: before: \_\_\_\_\_ after: \_\_\_\_\_ Reducer installed: Y N

Date to begin service: \_\_\_\_\_ Meter Number: \_\_\_\_\_