

CHAPTER 52: WATER REGULATIONS

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GENERAL PROVISIONS

§ 52.01 GENERAL OPERATION.

The city does hereby make provision for the establishment of a municipal water system (hereinafter called the water system) to be operated as a public utility.

§ 52.02 USE OF WATER SERVICE.

No person other than a city employee shall uncover or make or use any water service installation connected to the city water system except in the manner provided by this chapter. No person shall make or use any installation contrary to the regulatory provisions of this chapter. Penalty, see § 10.99

§ 52.03 USE TO CIRCUMVENT CHAPTER PROHIBITED.

No person shall permit water from the water system to be used for any purpose to circumvent this chapter. Penalty, see § 10.99

§ 52.04 DAMAGE TO WATER SYSTEM.

(A) No unauthorized person shall remove or damage any structure, appurtenance, or part of the water system or fill or partially fill any excavation or move any gate valve used in the water system.

(B) No person shall make any connection of an electrical welder to the city water main, appurtenance or service or use an electric welder for the purpose of thawing frozen water mains, appurtenances or services. Penalty, see § 10.99

§ 52.05 CONNECTIONS BEYOND CITY BOUNDARIES.

Connections of property outside of City limits to City of Holdingford water mains is prohibited.

§ 52.06 CONNECTION TO SYSTEM REQUIRED; USE OF PRIVATE WELLS.

(A) Except where municipal water is not available, it shall be unlawful to construct, reconstruct, or repair any private water system which is designed or intended to provide water for human consumption. Private wells, to provide water for other than human consumption, may be constructed, 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 water supply at any time. Hose bibbs that will enable the cross-connection of the two systems are prohibited on internal piping of the well system supply. Where both private and city systems are in use, outside hose bibbs shall not be installed on both systems.

(B) All new homes or buildings shall connect to the municipal water system if water is available to the property. At the time as municipal water becomes available to existing homes or buildings, a direct connection shall be made to the public system within a period of time as determined by the City Council. If the connection is not made pursuant to this chapter, a charge shall be made in an amount established by § 52.51.

(C) Where new homes or buildings do not have water available to the property, the city shall determine whether and under what conditions the municipal water system will be extended to serve the property.

(D) If the well is not to be used after the time a municipal water connection is made:

(1) The well pump and tank shall be disconnected from all internal piping;

(2) The casing shall be filled with sandy soil from the bottom to a point eight feet from the top;

(3) The remaining eight feet shall be filled with concrete to the floor level and the well casing cut off as close to the floor level as possible;

(4) Within 30 days after the municipal water connection is made, the owner or occupant must advise the City Utilities Superintendent that the well has been sealed.

(5) Notwithstanding the foregoing, all well abandonment shall be done in accordance with M.S. §§ 103I.301 to 103I.345 and Minn. Rules Ch. 4725, Wells and Borings, as it may be amended from time to time.

Penalty, see § 10.99

§ 52.07 USE OF WATER FOR AIR CONDITIONING; PERMITS.

(A) 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 or City Utilities Superintendent.

(B) Permits shall be required for the installation of all air conditioning systems to the public water system. The fee shall be established pursuant to § 52.51.

Penalty, see § 10.99

§ 52.08 USE OF WATER FROM FIRE HYDRANTS; TEMPORARY CONNECTIONS.

(A) Use of fire hydrants. Except for extinguishment of fires, no person, unless authorized by the Public Works Director or Public Utilities Department, shall operate fire hydrants or interfere in any way with the water system without first obtaining permission to do so from the city as follows:

(1) The user shall make an advance cash deposit to guarantee payment for water used and to cover breakage and damage to the hydrant and meter, which shall be refunded upon expiration of the permit, less applicable charges for use.

(2) The user shall relinquish the use of the hydrant to authorized city employees in emergency situations.

§ 52.09 WATER DEFICIENCY, SHUT OFF AND USE RESTRICTIONS.

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 whatsoever. In case of fire, or alarm of fire, or in making repairs of construction of new works, water may be shut off without notice at any time and kept off as long as necessary. In addition, the City Council shall have the right to impose reasonable restrictions on the use of the city water system in emergency situations. For non-payment of charges, water service may be discontinued according to the procedures established in § 52.72.

WATER REGULATIONS

§ 52.25 SUPPLY FROM ONE SERVICE.

No more than one housing unit or building shall be supplied from one service connection except by permission of City Council. Each unit served shall have a separate water meter.

Penalty, see § 10.99

§ 52.26 TAPPING OF MAINS RESTRICTED.

No person, except persons authorized by the City Council, shall tap any distributing main or pipe of the water supply system or insert stopcocks or ferrules therein.

Penalty, see § 10.99

§ 52.27 REPAIRS.

(A) Determination of need for repairs. Based on the information supplied by the property owner or available to the city, the city will make a determination whether a problem exists in that portion of the service which is the city's responsibility. If the problem, appears to exist in the areas for which the city has no responsibility, the private owners will be responsible for correction of the problem.

(B) Thawing of water services. The city will attempt to thaw water services on request of the resident. If the problem is found within that portion of the service for which the private owner is responsible, the private owner thereafter will be responsible for thawing the service and correction of the problem.

(C) Excavation or repair of water service.

(1) The city will arrange for the investigative digging up and repair of any water service where the problem apparently exists within that area for which the city has responsibility.

(2) Unless it is clearly evident, however, that the problem is the responsibility of the city, the excavation and repair will not be made until the property owner requests the city in writing to excavate or repair the service and agrees to pay the cost.

(3) The owner further agrees to waive public hearing and be special assessed the cost of the excavation and repair if the problem is found to be other than the city's responsibility. The city will make the determination for responsibility of the cost of investigation or repair.

(4) The matter of whether the dig up is done by city forces or contracted would depend on the urgency or need of repair and the availability of city forces to do the work. Recovery by the city for faulty construction will depend upon the circumstances and the decision of the City Attorney on the likelihood of recovery.

(D) Failure to repair. In case of failure upon the part of any consumer or owner to repair any leak occurring in his or her service pipe within 24 hours after verbal or written notice thereof, the water may be turned off by the city and shall not be turned on until the leak has been repaired and a fee pursuant to § 52.51 has been paid to the city.

Penalty, see § 10.99

§ 52.28 ABANDONED OR UNUSED SERVICES.

(A) If the premises served by water have been abandoned, or if the service has not been used for one year, then the service shall be shut off at the curb stop box by the city and the water meter will be removed.

(B) 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 has been removed and the main taps plugged or yoked connections installed by the city at the owner's expense.

Penalty, see § 10.99

§ 52.30 SERVICE PIPES.

Every service pipe shall be laid so as to allow at least one foot of extra length in order to prevent rupture by settlement. The service pipe must be placed no less than seven feet below the ground and in a manner as to prevent rupture by freezing. Service pipes must extend from the curb stop box to the inside of the building, or if not taken into the building, then to the hydrant or fixtures which it is intended to supply. Type K copper tubing shall be used. All services over two inches shall be ductile or cast iron. All underground joints are to be mechanical, except joints under floors shall be silver soldered, unless otherwise approved by the Utilities Superintendent. Joints of copper tubing shall be kept, to a minimum, with not more than one joint used for service for each 70 feet in length. Splicing may be approved with three-piece unions only. All joints and connections shall be left uncovered until inspected by the Utilities Superintendent and tested at normal water line pressure. Unions must be three-part type. All services over two inches shall be cast iron. Connections with the mains for domestic supply shall be at least three-quarter inch up to the curb stop box.

Penalty, see § 10.99

§ 52.31 EXCAVATION AND CONSTRUCTION REQUIREMENTS.

(A) No excavation shall be made until a permit for the connection has been issued by the city.

(B) No water service pipe or water connection shall be installed in the same trench or closer than ten 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 of a material that is in conformance with the current Minnesota Plumbing Code, Minn. Rules Ch. 4715, as it may be amended from time to time.

(C) Where it is desired to lay the water service pipe and the building sewer pipe in the same trench, or in separate trenches less than ten feet apart, the water service pipe shall be above the sewer pipe unless approved by the City Engineer. It shall be placed at least one foot above the sewer and on a solid shelf excavated at one side of the trench. The sewer pipe shall be of a material that is in conformance with the Minnesota Plumbing Code with tested watertight joints. The water service pipe shall be watertight and corrosion resistant. Copper pipe and ductile or cast iron water pipe with specially protected joints is acceptable for this construction. Cast iron pipe shall conform to the American Water Works Association specifications for this 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 backfilled with compacted earth.

(D) In case the installation is on a surfaced street, the following shall apply: All backfill materials shall be mechanically compacted in 12-inch layers to the density of the adjacent material in the roadway area and to the existing street grades in accordance with the Minnesota Department of Transportation Standards. Complete surface restoration shall be made.

Penalty, see § 10.99

§ 52.32 CONNECTION TO OTHER WATER SUPPLIES RESTRICTED.

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 except to service municipal systems.
Penalty, see § 10.99

§ 52.33 WATER CONNECTIONS; APPLICATIONS AND CHARGES.

(A) Connection applications.

(1) All applications for service installations and for water service shall be made to the City Clerk. All applications for service installations and water service 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. The applicant shall, at the time of making application, pay to the city the amount of fees as established by the Ordinance Establishing Fees and Charges adopted pursuant to § 30.11 of this code, as that ordinance may be amended from time to time or deposit required for the installation of the service connection as hereinafter provided. Applications for services larger than one 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.

(2) The size of the water service connections and meter shall be subject to approval of the City Engineer.

(3) Water billing shall start at the time of installation of the water meter, or in the event the meter is not installed, seven days after completion of outside piping, and shall be calculated upon the minimum quarterly rate, prorated on a semi-monthly basis.

(B) Connection charges.

(1) A permit must be obtained to connect to the existing water service leads at the curb stop box. The fee for the permit shall be set pursuant to § 52.51. The city shall install or have installed all service connections from the water main to the curb stop box including the stop box. Payment for service connections must be made before the work is started.

(2) Additional charges shall be paid at the time of making application for tapping and making connections with the water main to where a curb stop box and service lead is not previously installed. The charge shall include the tapping of the water main, corporation cocks, the installation of a service line, the installation of a curb stop box, cost of restoring disturbed areas and all other costs related to the installation.

§ 52.34 LOCATION OF CURB STOP BOX.

Curb stop boxes will be installed on the right-of-way line or easement limits at a location as determined by the City Engineer to be best suitable to the property and shall 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 shall be adjusted to be flush with the finished ground elevation. Curb stop boxes must be firmly supported by a masonry block. No person shall erect any fence or plant any tree or other landscaping that would obstruct, or place a structure on, park a motor vehicle on, or otherwise obstruct the use of the curb stop box, or cause damage to the same.

Penalty, see § 10.99

§ 52.35 WATER METERS.

(A) Generally. Except for extinguishment of fires, no person, unless otherwise authorized by the City Council or Public Utilities Department, shall use water from the water system or permit water to be drawn there from unless the same be metered by passing through a meter supplied or approved by the city. No person not authorized by the City Council or Utilities Superintendent shall connect, disconnect, take apart, or in any manner change or cause to be changed or interfere with any meter or the action thereof, or break any meter or valve seal.

(1) The City of Holdingford will provide one normal ¾" size water meter per residential household including installation and check valve free of charge. A residential or business establishment wanting a larger water meter will pay the difference in cost above the cost of a ¾" water meter.

(2) Where a consumer has need for a larger line in addition to his or her domestic line, as in the case of a commercial consumer who needs a one-inch line for normal use and a six-inch or larger line for a fire sprinkler system, he or she 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 small or domestic line and a check valve as well as one-inch detection meter shall be put on the large line.

(3) The city shall maintain and repair all meters when rendered unserviceable through ordinary wear and tear and shall replace them if necessary. When replacement, repair, or adjustment of any meter is rendered by the act, neglect (including damage from freezing or hot water backup) or carelessness of the owner or occupant of the premises, any expense caused the city thereby shall be charged against and collected from the water consumer.

(4) A consumer may, by written request, have his or her meter tested. In case a test should show an error of over 5% of the water consumed, a correctly registering meter will be installed, and the bill will be adjusted accordingly and the testing deposit refunded. This adjustment shall not extend back more than one billing period from the date of the written request.

(5) All water meters and remote readers shall be and remain the property of the city.

(6) 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.

(7) It shall be the responsibility of the consumer to notify the city to request a final reading at the time of the customer's billing change.

(B) Water meter setting. All water meters hereafter installed shall be in accordance with the Minnesota Plumbing Code and any standards established by resolution of the City Council.
Penalty, see § 10.99

RATES AND CHARGES

§ 52.50 WATER UNIT.

A water unit (hereinafter called unit) shall be one residential equivalent connection based on usage of 333 cubic feet per month (2499 gallons per month)

§ 52.51 RATES, FEES AND CHARGES GENERALLY.

The City Council shall establish a schedule of all water rates, fees and charges for permits or services in the Ordinance Establishing Fees and Charges adopted pursuant to § 30.11 of this Code, as that ordinance may be amended from time to time.

§ 52.52 WATER SERVICE BILLING; CHANGE OF ADDRESS.

All bills and notices shall be mailed or delivered to the address where service is provided. If nonresident owners or agents desire personal notice sent to a different address, they shall so note on the water service application. Any change or error in address shall be promptly reported to the City Clerk.

§ 52.53 WATER RATES.

(A) The rate due and payable by each user within the city for water taken from the water system shall be established pursuant to § 52.51.

(B) In case the meter is found to have stopped, 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.

(C) No City water service will be provided beyond City of Holdingford boundaries.

(D) The minimum rates established pursuant to § 52.51 shall begin to accrue after connection of the service pipe with the curb stop box.

(E) A meter shall be installed on the water valve in the house and a remote register outside unless extenuating circumstances prevent it.

(F) In the event a water customer elects to discontinue the use of the municipal water, the regular or minimum charge shall continue until the date as service is disconnected at the curb box. Penalty, see § 10.99

§ 52.54 PAYMENT OF CHARGES; LATE PAYMENT; COLLECTION.

(A) Any prepayment or overpayment of charges may be retained by the city and applied on subsequent monthly charges.

(B) If a monthly service charge is not paid when due, then a penalty shall be added thereto in accordance to the Ordinance Establishing Fees and Charges adopted pursuant to 30.11 of this code, as that ordinance may be amended from time to time.

(C) In the event a user fails to pay his or her water user fee within a reasonable time following discontinuance of service (a time period not to exceed 90 days), the fee shall be certified by the City Clerk and forwarded to the County Auditor for collection as provided for in Chapter 54. Penalty, see § 10.99

ADMINISTRATION AND ENFORCEMENT

§ 52.70 SUPERVISION BY MAINTENANCE SUPERINTENDENT;

(A) All piping connections from the curb stop box to house supply piping shall be made under the supervision of a licensed plumber subject to inspection by the Maintenance Superintendent. The piping connection made to the curb stop box on the house side shall be inspected by the Maintenance Superintendent. The water meter installation shall be inspected, tested and the meter sealed by the Maintenance Superintendent.

§ 52.71 POWERS AND AUTHORITY OF INSPECTORS.

The Maintenance Superintendent and other duly authorized employees of the city, upon proper identification, are authorized, with the permission of the licensee, owner, resident or other person in control of property within the city, to enter upon all properties for the purpose of inspections, observation and testing in accordance with the provisions of this chapter. If the licensee, owner, resident or other person in control of property within the city does not permit the entrance to the property, the city shall obtain an administrative search warrant as provided for in § 10.20 before entering the property, except in emergency situations.

§ 52.72 DISCONTINUANCE OF SERVICE.

Water service may be shut off at any connection as provided for in Chapter 54 of this code.

§ 52.73 AUTHORIZED EMPLOYEES TO TURN WATER ON AND OFF.

No person, except an authorized city employee, shall turn on or off any water supply at the curb stop box.

Penalty, see § 10.99

§ 52.74 LIABILITY FOR EXPENSE, LOSS OR DAMAGE.

Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned by the city by reason of the violation.

CHAPTER 54: RATES AND CHARGES

Section

- 54.01 Generally
- 54.02 Collection of charges
- 54.03 Disconnection for late payment
- 54.04 Cold weather rule
- 54.05 Delinquent charges

§ 54.01 GENERALLY.

The monthly charge for water, sewer services and for collection, removal and disposal of garbage and trash from residences and businesses within the corporate limits of the city shall be as established by the Ordinance Establishing Fees and Charges adopted pursuant to §30.11 of this code, as that ordinance may be amended from time to time.

§ 54.02 COLLECTION OF CHARGES.

The charges fixed herein for water, sewer services and for collection, removal and disposal of all garbage and trash shall be entered in their respective amounts on the utility bill. The city may discontinue all utility services, including water, sewer, and garbage and trash services, for failing to pay any assessed charges and until the charges have been paid in full under conditions and procedures detailed in §54.03.

§ 54.03 DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the city to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for utility service and all bills shall contain, in addition to the title, address,

room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

- (1) That all bills are due and payable on or before the date set forth on the bill;
- (2) That if any bill is not paid by the third billing cycle, a letter will be mailed along with the utility bill containing a cutoff notice, that if the bill is not paid by the 20th day of the month in which the letter is dated, service will be discontinued for nonpayment; and
- (3) That any customer disputing the correctness of his or her bill shall have a right to a hearing at which time he or she may be represented in person and by counsel or any other person of his or her choosing and may present orally or in writing his or her complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 60 days.

- (B) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge as established by the Ordinance Establishing Fees and Charges adopted pursuant to §30.11 of this code, as that ordinance may be amended from time to time.

§ 54.04 COLD WEATHER RULE.

Pursuant to M.S. §216B.097, as it may be amended from time to time, no service of a residential customer shall be disconnected if the disconnection affects the primary heat source for the residential unit when the disconnection would occur during the period between October 15 and April 15, the customer has declared inability to pay on forms provided by the city, the household income of the customer is less than 185% of the federal poverty level as documented by the customer to the city, and the customer's account is current for the billing period immediately prior to October 15 or the customer has entered into a payment schedule and is reasonably current with payments under the schedule. The City Clerk shall, between August 15 and October 15, of each year, notify all residential customers who have received notice of shut off of these provisions.

Penalty, see §10.99

§ 54.05 DELINQUENT CHARGES.

As provided for by M.S. §444.075, Subd. 3, as it may be amended from time to time, delinquent sanitary sewer, water and refuse charges as of October 31 of each year shall be certified by the City Clerk, who shall prepare a list of delinquent charges each year. The list of delinquent charges shall be delivered to the City Council for adoption. All persons who have delinquent charges included in the list shall be notified and given a chance to appear before the Council before the list is adopted. In the event the delinquency involves rental property, notice shall be given to the record owner of the property in addition to the tenant or other parties in possession and he or she given a chance to appear before the Council. Upon adoption, the Clerk shall certify the unpaid charges to the County Auditor before November 29 of each year for collection as other taxes are collected. This action may be optional or subsequent to taking other legal action to collect delinquent charges, and shall not preclude

the City or its agents from recovery of the delinquent charges and interest under any other available remedy, and shall not preclude the disconnection for late payment provided for in this chapter.