

CHAPTER 90

WATER SERVICE SYSTEM

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90.01 DEFINITIONS. The following terms are defined for use in the chapters in this Code of Ordinances pertaining to the Water Service System:

1. "Customer" means, in addition to any person receiving water service from the City, the owner of the property served, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.
2. "Superintendent" means the City's Director of Public Works.
3. "Water main" means a water supply pipe provided for public or community use.
4. "Water service pipe" means the pipe from the water main to the building served.
5. "Water system" or "water works" means all public facilities for securing, collecting, storing, pumping, treating and distributing water.

90.02 SUPERINTENDENT'S DUTIES. The Superintendent shall supervise the installation of water service pipes and their connection to the water main and enforce all regulations pertaining to water services in the City in accordance with this chapter. This chapter shall apply to all replacements of existing water service pipes as well as to new ones. The Superintendent shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, subject to the approval of the Council. In the event of an emergency the Superintendent may make temporary rules for the protection of the system until due consideration by the Council may be had.

(Code of Iowa, Sec. 372.13[4])

90.03 MANDATORY CONNECTIONS. All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water system, if it is reasonably available and if the building is not furnished with pure and wholesome water from some other source. Following installation and availability of a new water main, property owners shall have one calendar year in which to make the connection to the new water main.

90.04 COMPLIANCE WITH PLUMBING CODE. The installation of any water service pipe and any connection with the water system shall comply with all pertinent and applicable provisions, whether regulatory, procedural or enforcement provisions, of Division 4, *Plumbing Rules and Regulations*, of the State Building Code.

90.05 PLUMBER REQUIRED. All installations of water service pipes and connections to the water system shall be made by a licensed plumber approved by the City.

90.06 EXCAVATIONS. All trench work, excavation and backfilling required in making a connection shall be performed in accordance with applicable excavation provisions as provided for installation of building sewers and/or the provisions of Chapters 135 and 167.

90.07 RESPONSIBILITY FOR WATER SERVICE PIPE. All costs and expenses incident to the installation, connection and maintenance of the water service pipe from the main to the building served shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of said water service pipe.

90.08 FAILURE TO MAINTAIN. When any portion of the water service pipe which is the responsibility of the property owner becomes defective or creates a nuisance and the owner fails to correct such nuisance the City may do so and assess the costs thereof to the property.

(Code of Iowa, Sec. 364.12[3a & h])

90.09 SHUTTING OFF WATER SUPPLY. After giving reasonable prior written notice and an opportunity for hearing, all in accordance with the procedure for discontinuing water service under Chapter 92, the water service personnel may shut off the supply of water to any customer because of any substantial violation of this chapter, or valid regulation under Section 90.02 that is not being contested in good faith. The supply shall not be turned on again until all violations have been corrected.

90.10 HYDRANTS. No person, unless specifically authorized by the City, shall open or attempt to draw water from any fire hydrant for any purpose whatsoever.

90.11 UNAUTHORIZED USE. Unauthorized uses of water, such as not using a meter, hooking onto hydrants, or putting a straight pipe where the meter is, are absolutely forbidden. The first occasion of a violation of this section will result in a surcharge of one hundred dollars (\$100.00); the second occasion, a two hundred dollar (\$200.00) surcharge; and after the third occasion a meeting with the Council will be required to see if water should ever be restored.

90.12 RULES AND REGULATIONS. The use of the Water Service System shall further be subject to the Clive Water Department Rules and Regulations, which may be adopted from time to time by the Council.

90.13 PENALTY. Unless another penalty is expressly provided by this chapter for any particular provision or section, any person violating any provision of this chapter or any rule or regulation adopted herein by reference shall, upon conviction, be subject to a fine of not more than five hundred dollars (\$500.00) or imprisonment not to exceed thirty (30) days.

(Ord. 718 – Nov. 00 Supp.)

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