

GRANGEVILLE CITY ORDINANCE NO. 946

AN ORDINANCE OF THE CITY OF GRANGEVILLE PROVIDING FOR THE AMENDMENT OF TITLE 8, CHAPTER 5 OF THE MUNICIPAL CODE OF THE CITY OF GRANGEVILLE RELATING TO THE CITY WATER AND SEWER SYSTEM; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE ORDINANCE BECOMING EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GRANGEVILLE, IDAHO COUNTY, IDAHO, AS FOLLOWS:

Section 1: Title 8, Chapter 5 of the Grangeville Municipal Code shall be amended to read as follows:

CHAPTER 5
CITY WATER AND SEWER SYSTEM

SECTION:

- 8-5-1: Water System Property Of City
- 8-5-2: Water Superintendent
- 8-5-3: Definitions Of Units And Rates As Used In This Chapter; Rates; Billing
- 8-5-4 : Sewage Rates, And Miscellaneous Collection Procedures
- 8-5-5 : Wastewater Treatment Plant Fees
- 8-5-6 : Water Connection Charges
- 8-5-7 : Meter Rates
- 8-5-8 : Charges; Where And How Payable; Existing Tenant's Rights; Property Owners To Receive Billings
- 8-5-9 : Charges; Time Of Payment; Shut Off For Delinquency And Notice
- 8-5-10 : Treasurer To Credit Sums Collected To Water Fund
- 8-5-11 : Turn Off Request; Charges For Turn Off
- 8-5-12 : City Reserves Right To Turn Off For Repairs At Any Time
- 8-5-13 : Regulation Of Service For Sprinkling
- 8-5-14 : Interference With System Prohibited; Criminal Penalties For Interference With System And For Theft Of Water; Civil Penalty
- 8-5-15 : Sewage Disposal
- 8-5-16 : Unpolluted Water Not Permitted In Sanitary Sewer
- 8-5-17: Types Of Sewer Piping
- 8-5-18: Billing On Quarterly Estimates
- 8-5-19: Annexation A Condition Of Water And/Or Sewer Service

8-5-20: Cross Connection Control Policy

8-5-1: WATER SYSTEM PROPERTY OF CITY:

All mains, laterals, pipes, hydrants and fixtures now laid, constructed or installed, or hereafter to be laid, constructed or installed in, under, across or through the streets, avenues, alleys and other thoroughfares of the City, or adjacent territory, for supplying water to said City and the inhabitants thereof, are hereby declared to be the property of the City, under the control thereof and subject to the provisions of this chapter.

8-5-2: WATER SUPERINTENDENT:

The Water Superintendent, as provided for in section 3-3-1 of this Code, shall have general supervision over the waterworks of said City, and appurtenances thereto, under the direction of the Mayor and City Council.

8-5-3: DEFINITIONS OF UNITS AND RATES AS USED IN THIS CHAPTER; RATES; BILLING:

A. Definitions:

BASIC RATE: The charge applicable to one typical family residence as is hereinafter set forth.

BILLING PERIOD: Each successive month of the City's fiscal year, immediately following the month in which the water, sewer, and sanitation services were used.

COMMERCIAL UNIT: Any structure or part of a structure used for the purpose of providing goods, or services to the public through one facility, including, but not limited to, stores, service stations, professional clinics or offices, churches, hotels, motels, restaurants, schools, hospitals, rest homes, State, County, or Federal offices or buildings, or any structure used for the manufacture of goods. A commercial unit shall also include any property requiring water or sewer services which business provides goods or services to the public that has no structure on the property, including, but not limited to, parks and rock crushing sites.

FACILITY: Each family, business, office, person, or entity comprising a multi-facility unit.

MULTI-FACILITY UNIT: Any building, apartment, office complex, mobile home court, business complex or other structure or any combination thereof, owned by one person or entity, or owned in common, and occupied by two (2) or more separate families, businesses, offices, persons, or entities, or combination thereof.

MIXED-USE FACILITY: A multi-facility unit comprised of at least one commercial unit and one residential unit.

SINGLE-FAMILY UNIT: Any building, home, mobile home, or structure used as a residence occupied exclusively by one family.

USAGE RATE: The actual calculated cost of sewage treatment per cubic foot of water discharged into the sewer system as calculated in subsection C1 of this section. For billing purposes, quantities will be rounded off to the nearest one hundred (100) cubic feet of water on a monthly basis.

UTILITY BILL: The combined charges for water, sewer, and sanitation services and any combination of fees or penalties incidental thereto. This definition shall apply not only to this section, but also all references to water charges and sewer charges throughout this Code.

B. System Of Periodic Service Charges And Fees: There is hereby established a system of periodic service charges and fees in order to equitably impose upon all users of the public sewerage system, the costs and expenses of maintenance, operation, replacement, repair and expenses of the sewerage system. Sewer usage bills shall become a part of the "utility bill" as defined above, and shall be calculated based upon a percentage of water usage during the same period of time. The said service charges and fees for the purposes of computation shall be based upon:

1. The volume and content of effluent discharged into the sewer system of the City; and
2. The actual and expected expense of maintenance, operation, replacement, bonded indebtedness, upgrading and repair of the sewerage systems, such charges and fees being determined to be the benefit derived by each building, structure or user from the system.

C. Rates For Sewer:

1. Owners of a single facility, multi-facility, and/or commercial unit connected to separate sewer lines shall pay a monthly basic rate based upon seven hundred twenty two (722) cubic feet of water passing through the water meter for that facility, plus a usage rate equal to an incremental fee for each one hundred (100) cubic feet of water passing through each water meter. The basic rate and schedule for overage shall be as determined in subsection D of this section.

2. Owners of multi-facility units connected to a single sewer line shall pay the monthly basic rate described above for each unit using that line, plus the usage rate for any water discharged into the system as described above. Each residential living unit shall pay the monthly basic rate. For mixed-use facilities, the number of units will be determined by an equivalent residence (ER) using the winter consumption average as calculated in subsection D of this section. The ER will be rounded up to the nearest tenth.

D. Basic Rate And Overage:

1. Basic Rate: "Basic rate or base monthly fee" shall be defined as the charge applicable to one typical single-family residence that discharges a base flow of seven hundred twenty two (722) cubic feet per month. It shall be determined in the following manner:

a. Total cost (TC) equals the total annual estimated costs of operation, maintenance, bonded indebtedness, expense, reasonable replacement and repair expense shall be calculated and fixed by the City Council;

b. The total costs in subsection D1a of this section shall then be the total average volume of water passing through the City water meters, considering only the flows for the billing period from November through March for the year prior to the calculated date.

Step 1:

Residential and commercial users
volume/year = Total flows from each user for 5 months
(most recent)

Step 2:

$$\text{Total flow (TF)} = (\text{flows for 5 months}) \div (5 \text{ months}) \times 12 \text{ months}$$

Step 3:

$$\text{Unit cost (UC) or usage rate} = \frac{\text{TC (sewer utility budget)}}{\text{TF (commercial + residential annual use cubic feet)}}$$

Multiply the base residential average monthly volume of 722 cubic feet per month per user times the cost per cubic foot (UC) (step 3) to find the base rate.

$$\begin{array}{l} \text{Base rate or base} \\ \text{monthly fee} \end{array} = 722 \text{ cfm} \times \text{UC per} \\ \text{residential user} \quad = 722 \text{ cubic feet per month} \quad \times \quad \begin{array}{l} \text{(unit} \\ \text{cost)} \\ \text{(cubic} \\ \text{feet)} \end{array}$$

2. Overage:

a. Commercial users' monthly billing rates will be based on the base monthly fee, as calculated above, plus the usage rate times all flows above a meter reading of seven hundred twenty two (722) cubic feet per month (overage) for the billing period of November through March; and for the billing period of April through October the base monthly fee plus the monthly average of all flows above seven hundred twenty two (722) cubic feet per month meter readings for the billing period of November through March.

(1) The formula stated above shall be applicable to all commercial accounts except for those businesses described below specifically.

(2) Hotels and motels within the city or on city services shall be based upon an eight (8) month average of the months of October through May inclusive each year.

(3) Car washes and laundromats shall not be based on an average and shall be based upon the actual water usage through their respective meters.

(4) Any additional business which in the future demonstrates a sewer usage not consistent with regular commercial business described herein or any of the exceptions above described shall be independently analyzed by the city council and an average will be assigned to that new business based upon actual sewage use.

b. Residential and multi-facility units shall pay a monthly bill based on the base monthly fee, as calculated above, plus the usage rate times all flows above a meter reading of seven hundred twenty two (722) cubic feet per month (overage) for the billing period November through March; and for the billing period April through October, the base monthly fee plus the monthly average of all flows above seven hundred twenty two (722) cfm water meter reading for the billing period November through March.

E. Nonmetered Water Service: Owners of any unit, whether it be commercial or single-family unit, not receiving metered water service from the city shall pay the monthly basic rate calculated above and such additional usage rate as would be charged to a similar user whose water flow is metered.

F. High Strength Users; Billing Calculations; Connection Fees: Users of the system who contribute high strength wastewater loading to the system shall have a bill based upon the same flow charges per unit volume plus an additional surcharge based upon excess Biochemical Oxygen Demand (BOD), total suspended solids (TSS), Nitrogen, and/or Phosphorus as are determined to be fair and equitable. In determining the actual bill for high strength users, it shall be calculated based upon standards set forth in the "Wastewater Engineering Treatment and Resource Recovery" by Metcalf & Eddy (Fifth Edition), or similar standards as are most current at the time a determination needs to be made. If necessary, actual sewage flow for a representative period of time shall be calculated and actual sewer samples shall be taken to determine a fair and equitable charge for any such user. "Average residential sewage strength" shall be defined as 200 mg/L BOD (5-day), 200 mg/L TSS, 5.6 mg/L Total Phosphorus (as P), and 35 mg/L Total Nitrogen (as N).

Any person aggrieved by a sewer charge, shall be permitted to monitor at his expense his wastewater flows for a representative period of time and shall have the right to appeal to the city council demonstrating an appropriate charge based upon the standards set forth in this chapter for similar flows.

Any exception to the flow charges as herein established shall be as directed only by a majority vote of the city council based upon extraordinary circumstances tending to demonstrate that water usage would be an inaccurate indicator of the use of the sewer system.

1. Review Of Sewer Rates: The City Council may review the sewer rates biannually and based upon the actual costs to provide wastewater treatment services, shall revise the sewer rates accordingly. The City shall notify each user of any changes in the sewer use charges attributable to the wastewater treatment services.

All users of the Grangeville sewer system outside of the City limits shall pay two (2) times the basic rate plus the usage rate attributable to that kind of business.

3. Notice Of Termination: The City Council is hereby authorized and directed to provide notice as is provided in section 8-5-7 of this chapter, concerning water bills, to provide that services will be terminated and a failure to pay the sewer bill or any portion thereof shall be treated as a failure to pay any portion of the utility bill including water bills, and services may be terminated in accordance with said section.

4. Map Of Water And Sewer System: The Water Superintendent shall keep on file in his office a map of said water and sewer system showing the locations of all mains, gates, fire hydrants, crosses, tees, plugs, underground fixtures and appendages, together with the sizes thereof. The Water Superintendent shall also tend to the ordering of supplies for the maintenance, repair, and operation of said system when approved by the Mayor and Council and shall perform such other duties as may be required of him from time to time by the City Council in connection with the maintenance and operation of said system.

5. Record Of Costs: The Water Superintendent shall keep a record of the cost of labor and materials of each connection made or for any service rendered, which cost record shall be completed immediately following each job and shall be kept on file in the Office of the Water Superintendent.

6. Connection Mandatory; Fees:

a. Within The City Of Grangeville: Any person occupying or using premises within the City limits, but not connected with the sewer and producing sewage effluent, shall be required to connect with the Grangeville sewer collection system. Written application for sewer connection shall be made on forms to be furnished by the City Clerk. The charges for making the connection shall be deposited with the City Clerk at the time of making the application and the rates for the same shall be as established in the master fee schedule.

In the event that it is necessary for the City to retap any sewer main under any circumstances, there shall be a retapping fee as established in the master fee schedule.

b. Equity Buy In Fee: In addition to the fees provided in subsection F6a of this section, each new sewer tapping connection applicant shall pay an equity buy in fee which will be used and set aside separately as described below, for future renovation of the Grangeville City sewer system, per "equivalent residence" as that term is defined in the use rate study entitled "The Use Rate Study and System Development Charges for the Waste Water System in the City of Grangeville", dated January 2005.

c. Method Of Calculation:

(1) The equity buy in fees shall be adjusted at least annually each October commencing in October 2006, by applying "Engineering News Record Construction Cost Index" (Seattle) as published by McGraw Hill, Inc., with actual fees as established in the master fee schedule no higher than the recommended maximum indicated by said cost index number as calculated and published in the future.

The City also reserves the right to adjust a particular equivalent residence factor from time to time (as described in the JUB engineering report) with respect to collection of additional equity buy in fees and with respect to actual connection fees described in subsection F6a of this section in case of a substantial change of use of a particular user.

d. Reserve Fund For The Sewer System: There is hereby created a Reserve Fund, to be treated as a separate line item in the City's budget, dedicated to the preliminary engineering, design, and construction of collectors, interceptors, sewer treatment facilities, and obligations for the City facility. Funds derived from the charge of the equity buy in fee shall be placed in this dedicated Reserve Fund. The money so reserved may only be utilized for preliminary engineering, design, and construction of collectors, interceptors, sewer treatment facilities, and obligations for the City facilities, and the money from said Reserve Fund is not to be utilized for regular operation and maintenance of the sewerage system, except that up to five percent (5%) of the annual receipts can be utilized to administer the Equity Buy In Fee Program.

e. Subdivision Payment Schedule: For any "subdivision", as that term is defined in this Code, the equity buy in fee shall be paid in full prior to the issuance of a building permit or the initiation of City services for each specific lot within the subdivision. Unless paid earlier, as building permits are issued for each specific lot within the subdivision, the applicant for such permit must pay the then existing equity buy in fee as a condition of

permit issuance. Once paid, no fees paid to the City for subdivision equity buy in fees shall be returned to the subdivider or their successors, even if the subdivision is later vacated or abandoned.

7. Pavement Cutting Fees: In the event it shall be necessary to cut any paved street for purposes of making sewer connections or retapping a sewer connection, the applicant for such connection or retapping shall, in addition, be obligated to pay the City a fee as established in the master fee schedule per square foot of pavement cut to complete the proposed tapping or retapping project. The pavement cutting fees shall be paid within fifteen (15) days of the time when the City notifies the customer of the total charges.

8-5-4: SEWAGE RATES, AND MISCELLANEOUS COLLECTION PROCEDURES:

A. As calculated pursuant to section 8-5-3 of this chapter, the basic rate for sewer charges after a review by the City Council shall be as established in the master fee schedule for all residents within the City and shall continue from the adoption of this section until the same shall be amended. For residents outside of the City limits the rate shall be as established in the master fee schedule.

B. The usage rate as defined in section 8-5-3 of this chapter shall be as established in the master fee schedule for all residents within the City and residents outside of the City.

C. The City Clerk shall maintain an office in the City Hall and shall keep the same open five (5) days each week, Monday through Friday, during regular business hours established by the City Council for receiving payment and collection of water rates, and connection charges, together with sewer rates, and sewer connection charges as are provided throughout this Code. The City Clerk shall compute from the readings furnished him/her by the Water Superintendent the amount due from each customer and shall keep accounts with all utility customers in proper permanent books to be provided to him/her for that purpose at the expense of the City and said Clerk shall render monthly statements to each and every customer, keeping a duplicate thereof on file in his/her office and shall receipt the original when payment is made and of the amount due.

E. After bills are delinquent a penalty as established in the master fee schedule will be charged. Only one penalty will be charged per account per month.

8-5-5: WASTEWATER TREATMENT PLANT FEES:

A. The following fees are established for certain services, below described, that are available at the Grangeville wastewater treatment plant:

1. Lab fees for water testing for other agencies, cities and water associations shall be set forth in the master fee schedule.

2. An annual capacity fee for dumping wastewater at the wastewater treatment plant shall be set forth in the master fee schedule.

3. Dumping fees for gray water and black water waste delivered to the wastewater treatment plant shall be set forth in the master fee schedule.

4. Fees for the sales of City generated compost shall be set forth in the master fee schedule.

8-5-6: WATER CONNECTION CHARGES:

Any person either desiring water service or required by this Code to be connected to water service, but not then connected with water, shall make and sign a written application therefor on forms furnished by the City Clerk and present the same to the City Clerk. The charges for making the connections shall be deposited with the City Clerk at the time of making the application and the rates for the same shall be as follows:

A. Standard Charges: For standard three-fourths inch (3/4") and under service, including meter to the property line shall be as established in the master fee schedule.

B. Additional Charges: Over three-fourths inch (3/4") service, charges including material to the property line shall be as established in the master fee schedule plus all labor and materials used to place the water service to the property line, which material costs shall include, but not be limited to, materials and pipe expenses.

C. Pavement Cutting Fees: In addition to the tapping fees set forth in subsections A and B of this section, the applicant desiring a water tap in an area which would require cutting of a paved street must pay a charge as established in the master fee schedule per square foot of pavement cut as it relates to the proposed project.

D. Equity Buy In Fee: In addition to the fees provided in subsections A, B, and C of this section each lot or parcel of property to be connected to the Grangeville Municipal water system shall pay an equity buy in fee which shall be separately maintained by the City in a fund which can be used in the future to update the City water system per "equivalent residence" as that term is defined in the use rate study included in the City of Grangeville Water Master Plan (J-U-B, 2020).

1. The equity buy in fee shall be adjusted as system worth or capacity changes, commencing in October 2006, by applying "Engineering News Record Construction Cost Index" (Seattle) as published by McGraw Hill, Inc., with actual fees as established in the master fee schedule no higher than the recommended maximum indicated by said cost index number as calculated and published in the future.

The City also reserves the right to adjust a particular equivalent residence factor from time to time with respect to collection of additional equity buy in fees and with respect to actual connection fees described in subsections A and B of this section in case of a substantial change of use of a particular user.

E. Reserve Fund For The Water System: There is hereby created a Reserve Fund, to be treated as a separate line item in the City's budget, dedicated to the preliminary engineering, design, and construction of all parts of the water well and distribution system. Funds derived from the charge of the equity buy in fee shall be placed in this dedicated Reserve Fund. The money so reserved may only be utilized for preliminary engineering, design, and construction of all parts of the water well and distribution system for the City facilities and the money from said Reserve Fund is not to be utilized for regular operation and maintenance of the water system, except that up to five percent (5%) of the annual receipts can be utilized to administer the equity buy in fee program.

F. Subdivision Payment Schedule: For any "subdivision", as that term is defined in this Code, the equity buy in fee shall be paid in full prior to the issuance of a building permit or

the initiation of City services for each specific lot within the subdivision. Unless paid earlier, as building permits are issued for each specific lot within the subdivision, the applicant for such permit must pay the then existing equity buy in fee as a condition of permit issuance. Once paid, no fees paid to the City for subdivision equity buy in fees shall be returned to the subdivider or their successors, even if the subdivision is later vacated or abandoned.

G. Connection Provisions:

1. Upon the approval and filing of such application with the Water Superintendent, and the approval of the connections used therewith, which may include all necessary anticross connection devices, the applicant shall be entitled to have such service pipes installed to his property line and connected with the water main by a lateral extending from the water main to the property line, and a stopcock, service box, meter, and meter box installed at convenient places in the street or upon the premises. All service pipes shall be laid at least three feet (3') below the surface of the ground.

2. All charges hereunder required for pavement cutting shall be paid within fifteen (15) days of the time when the City notifies the customer of all such charges.

3. Thereafter, for any request from the user of the water service to turn on or turn off the service on a weekend, holiday or after four o'clock (4:00) P.M. of any working day, a fee as established in the master fee schedule shall be imposed by the Water Department. Such charge should be paid to the City Clerk prior to the turn off or turn on by the City Water Department. There shall be no charges for emergency turn on or turn off services.

8-5-7: METER RATES:

Water rates of the City Water Department shall be as established in the master fee schedule.

After bills are delinquent, a penalty as established in the master fee schedule will be charged.

Demand rates shall be as established in the master fee schedule.

The term "demand" means the following types of water services: all those water services of more than three-quarter inch (3/4") diameter.

There will be a setup fee as established in the master fee schedule for any entity that wants a remote hookup to any of the City's fire hydrants for the delivery of bulk water. No setup fee will be charged if bulk water is delivered through the City's existing connections at the City's Public Works Building.

8-5-8: CHARGES; WHERE AND HOW PAYABLE; EXISTING TENANT'S RIGHTS; PROPERTY OWNERS TO RECEIVE BILLINGS:

A. Any charges for use of Municipal water, sewer, solid waste collection and transportation, and street light billing shall be the responsibility of the property owner of record. From the effective date of this amended Code provision, each Municipal utility account shall be the responsibility of the owner of the property served by the City. Each

property owner shall provide to the City documentation of property ownership as may be required by the City as a condition of receiving continuing utility service.

B. For those tenants currently receiving utility billings in the City, whether in residential or commercial properties, those tenants shall be entitled to continue to receive utility billings in their own name until that property shall be vacated by that tenant. Thereafter, the property owner as described in subsection A of this section shall receive future billings.

C. Furthermore, in the event a current tenant who is receiving billings on either residential or commercial properties becomes delinquent in the payment of his utility bills and has not paid the bill by the time the additional delinquent charge created in subsection 8-5-9 of this chapter can be added to a bill, then the tenant forfeits his right to have future billings in his own name, his account will be closed, and the property owner will receive all future billings. The tenant in that circumstance will still be liable to the City for all delinquency charges and other costs.

8-5-9: CHARGES; TIME OF PAYMENT; SHUT OFF FOR DELINQUENCY AND NOTICE:

A. **Payment Of Charges:** All water rates and other charges shall be due and payable at the Office of the City Clerk during office hours by the tenth of each month for the last preceding billing period. Billing periods shall be as prescribed by the City Clerk and this Code. All accounts shall become delinquent at five o'clock (5:00) P.M. on the tenth day of the month if not paid as aforesaid. Whenever any customer becomes delinquent the City Clerk shall be authorized to send notice of any past due charges and any delinquency charges by ordinary mail to the customer. The City Clerk shall likewise be entitled and authorized by ordinary mail to deliver to the customer a notice of intent to discontinue water and sewer services from the premises to which the services were furnished. Such notice shall be on forms provided by the City Clerk and notify the occupant that services will be discontinued and will remain cut off until all charges, penalties, and fees under this title have been paid to the City.

B. **Additional Delinquent Charge:** In the event water, sewer, or garbage bills are not paid prior to the fifteenth of each month, a service fee as established in the master fee schedule will be added to such billing for each month that said bill remains delinquent and unpaid. Said charge shall be in addition to all other penalties or interest charges provided in the ordinances concerning water, sewer, and garbage billings.

C. **Accounts Subject To Shutoff:** Any account which remains delinquent on the tenth day of the month following the initial billing month will be subject to shutoff if the account is not paid in full (approximately 45 days from the date of initial billing). Any account which is subject to shutoff shall be subject to placement of a hang tag delivered to the place where service is provided. If delinquency proceeds to the hang tag stage and a hang tag is placed on the account, the customer shall be responsible for a hang tag fee as established in the master fee schedule which shall constitute a service charge for collection expenses. If payment is made after the hang tag has been placed, said hang tag fee shall be paid in addition to all current and past due water service charges to avoid shutoff of water service.

D. **Notice Of Shutoff:** At least forty eight (48) hours' notice of shutoff for delinquent payment should be provided by posting a notice on the property or hanging it from the doorknob of the front door or other nearby feature. A fee as established in the master fee

schedule will be charged to any service which has been shut off due to delinquency in payment. If an account is shut off for failure to pay, the account shall not be reconnected until all current and past due charges are paid in full, in addition to payment of the hang tag fee.

F. Will Pay Agreements: The City Clerk/Treasurer may make arrangements with customers (known as a will pay agreement) before hang tag morning and before shutoff morning. This agreement is a promise to pay the outstanding bill later than the due date. Will pay agreements are to be made only in the circumstances where future payment can be assured and resources for payment are identified. No more than three (3) will pay agreements may be accepted per calendar year unless documented extenuating circumstances exist, e.g., medical reasons, death, or other at the City Council's discretion. Delinquency fees will not be waived in connection with a will pay agreement. Will pay agreements enable the City Clerk/Treasurer to collect outstanding bills without shutting off service when clear means of future payment can be demonstrated. Failure to make any payment on a will pay agreement shall make the entire amount due and payable immediately and the account shall be subject to immediate shutoff.

8-5-10: TREASURER TO CREDIT SUMS COLLECTED TO WATER FUND:

The City Treasurer shall credit all sums received from the City Clerk, as hereinabove provided, to a fund to be known as the Water Fund, and no disbursements shall be made therefrom except on order of the City Council by warrant issued as in other cases.

8-5-11: TURN OFF REQUEST; CHARGES FOR TURN OFF:

A. Request:

1. Water shall be turned off on the written or verbal request from a consumer. If turned off for violation of rules or nonpayment of bills, service shall not be reinstated until the account is paid in full.

2. It is declared policy of the City that all properties receiving water from the Grangeville water system at the time of passage hereof must continue to contribute monthly bond fees until the bond is paid, as set forth in this section and ordinance 766.

a. Therefore, all water service bills for all accounts that exist on the date of the passage hereof will continue to be required to pay the bond payment fee as established in the master fee schedule and required in Grangeville City ordinance 766, passed on January 20, 2004. If any property that was receiving a water bill on the effective date hereof shall be turned off either voluntarily, at the request of a property owner, or involuntarily for nonpayment, the water bond fee shall continue to be paid until the water bond has been fully paid.

b. If an account relates to a property that includes a primary residence or business, and also that same property has a supplementary irrigation account, the bond fee herein required shall only be billed to the primary residence or business.

c. However, properties that have only an irrigation account shall be billed the bond payment fee.

3. All properties receiving City utilities will be required to pay the monthly base rate for each service, regardless of whether the water is turned on or off.

B. Reconnection Deposit Refunded: In the event a three hundred percent (300%) deposit has been posted with the City Clerk as previously required by this section and thereafter a customer shall timely pay all utility bills without any delinquencies for at least a twenty four (24) month period, then the bond can be refunded to the customer. Furthermore, upon the closing of any account, any posted deposit shall be applied against any unpaid utility bills and the customer shall be refunded any unapplied balance.

C. Discontinued Service Request:

1. In order to discontinue a service the customer shall make written request to the City Clerk's Office on forms provided. The Water Department will then remove and take possession of the water meter and plug each end of the meter setter. The service line and appurtenances other than the meter will remain intact unless the customer requests that the service be shut off at the main and the meter boxes removed. This additional work will be billed on a time and material basis. Discontinuance of the service will end the current bond payment for the account and the account will become dormant/inactive.

2. After the date of service discontinuance should a request to reconnect the discontinued service for any reason be received, the charges for reconnection and equity buy ins as established in the master fee schedule shall apply and be paid in advance.

3. Reconnecting any service that has been cut off at the main and had the meter boxes removed will be charged on a time and material basis. An estimate of the charges will be provided at the time the reconnection request is made with the City Clerk's Office. The actual costs for reconnecting the service will be billed and shall be paid before the service is turned on.

4. At no time, may a customer choose to discontinue water service and keep the sewer service. Irrigation only services are an exception and shall not be required to have sewer.

8-5-12: CITY RESERVES RIGHT TO TURN OFF FOR REPAIRS AT ANY TIME:

The water may be shut off at any time for mains, laterals, or service pipes, without notice, for the purpose of making repairs or extensions or in other cases of necessity, and the City will not be responsible for any damages caused thereby or resulting therefrom.

8-5-13: REGULATION OF SERVICE FOR SPRINKLING:

The City reserves the right to regulate the use of water for sprinkling and irrigating purposes and the Water Superintendent shall give notice by publication, of any restrictions on the use of water for such purposes; and thereafter any consumer using or permitting water to be used for sprinkling or irrigating purposes except as limited in such notice, shall be subject to a penalty as established in the master fee schedule for each offense and in default of payment thereof, the water shall be shut off. It shall be the duty of the Water Superintendent, whenever the consumption of water threatens to exceed the capacity of the pumping system, to report such conditions to the Mayor and City Council thereof in order that the use of water for sprinkling and irrigation may be restricted.

8-5-14: INTERFERENCE WITH SYSTEM PROHIBITED; CRIMINAL PENALTIES FOR INTERFERENCE WITH SYSTEM AND FOR THEFT OF WATER; CIVIL PENALTY:

A. Any person who shall interfere with, molest, injure, or attempt to bypass by piping, or destroy any fire hydrant, pipe, main, meter, service box, or other appurtenance of said water system, or shall open any fire hydrant or cap or make connection with any water main, lateral, or pipe, without first having obtained permission from the proper official, or shall divert or appropriate water from any hydrant, main, lateral, or water pipe without paying therefor the rentals and charges hereinafter specified, shall be subject to the civil and criminal penalties set out in this section. It is to be specifically included that no person shall be permitted to adjust, change, or turn on any water valve that has been turned off by the City for any reason whatsoever, including, but not limited to, turning the same off because of a failure to pay City water bills.

Any person violating this section shall be guilty of a misdemeanor and be subject to the general misdemeanor penalties prescribed in Idaho State law for general misdemeanors.

B. In all prosecutions under the foregoing section proof that any of the acts herein forbidden were done on or about the premises owned or occupied by the defendant charged with the commission of such offense or that said person received the benefit of water service at that premises on account of the commission of such acts shall be prima facie evidence of the guilt of such defendant. Specifically, if the defendant knew or should have known that the water had been turned off by the City authority for any reason whatsoever, including, but not limited to, turning the same off because of a failure to pay water bills, then proof of subsequent use of water at that premises shall be sufficient proof of guilt.

C. Any person aiding, abetting, or counseling the acts or any of them mentioned in the preceding section shall, upon conviction thereof, be equally guilty with the principals and be subject to the same criminal penalties.

D. Any person doing any of the above prohibited acts shall, in addition, be subject to a civil penalty in the amount established in the master fee schedule and in addition, shall be subject to a triple charge for all water that can be reasonably proven to have been delivered to that premises after the improper diversion or improper adjustment of any valve. The civil penalty herein prescribed shall be assessable either as a restitution order in any criminal case after conviction or independently assessable in the Small Claims Division of the District Court within this State. The civil penalties set forth herein shall be in addition to the criminal penalties set forth for misdemeanor violation and shall constitute additional sums to which the City would be entitled to a lien.

8-5-15: SEWAGE DISPOSAL:

A. No property owner, occupant, tenant, or sewer user shall be allowed or permitted to discharge sewage into the sewer or sewage disposal system which shall be deemed deleterious to such system, or which shall endanger the employees, operation or treatment processes of sewage disposal, or which shall cause incrustations to chemically or physically attach so as to corrode or erode the sewer or sewage disposal system or facilities.

B. Any property owner, occupant, tenant or sewer user violating the provisions of this section shall, upon notice by the Water Superintendent, immediately install such

preliminary treatment through separators, traps, and/or chemical, physical or biochemical processes, as will make and assure that the sewage contributed from such property or premises will meet the requirements of this chapter.

C. Any person violating the provisions of this section after notice above specified shall be guilty of a misdemeanor, and each day shall be deemed to constitute a separate offense.

8-5-16: UNPOLLUTED WATER NOT PERMITTED IN SANITARY SEWER:

It shall be unlawful for any person to discharge or cause to be discharged into the sanitary sewer any stormwater, groundwater, roof runoff water, subsurface drainage water, cooling water or unpolluted water.

8-5-17: TYPES OF SEWER PIPING:

Within the incorporated limits of the City, the following types of sewer piping may be used, either exclusively, or in combination with one another, such types are cast iron pipe; polyvinyl chloride (PVC, ASTM D3033 or ASTM D3034 4 inch through 15 inch); ASTM D2661 Acrylonitrile-Butadiene-Styrene (ABS, Schedule 40, pipe 4 feet or greater) and pressure lines/HDPE pipe – high density polyethylene pipes. The diameter of pipe that should be used for any particular application should be sufficient, in the opinion of the Public Works Director, to adequately service whatever building to which the same would be connected.

8-5-18: BILLING ON QUARTERLY ESTIMATES:

A. The Public Works Director and the City Clerk, as officials of the City, in accordance with the directives of section 8-5-3 of this chapter, shall be permitted, in their discretion, to read water meters within the City of various water customers only on a quarterly basis during the months of January, April, July and October estimating during those months in which the bill is not read what the water usage should be and having the City Clerk bill accordingly on the estimates. During those months that the meter is in fact read, appropriate adjustments shall be made to the bill so that the customer at the end of each quarter has paid for the water actually used in accordance with the other provisions of this Code.

B. Where, in the discretion of the Public Works Director and the City Clerk, it is impractical or imprudent to bill on the basis of quarterly estimates, monthly meter readings may be made and the bills sent to customers accordingly.

C. Any person objecting to monthly estimates and quarterly adjustments may file their objection with the City Clerk and thus be entitled to monthly meter readings, so long as the objection shall be on file with the City Clerk.

8-5-19: ANNEXATION A CONDITION OF WATER AND/OR SEWER SERVICE:

A. After the effective date hereof, no person, firm, or entity with property contiguous to the City limits shall be permitted to connect to the Grangeville City water and/or sewer system unless their application for services also includes a request to the City Council for annexation of the particular property to be served by such water and/or sewer service.

B. In the event that the applicant owns other property outside of the incorporated limits of the City that will not actually be served with water and/or sewer and has a separately identifiable legal description, that property need not be annexed until it would later be connected to the City water and/or sewer systems.

C. All existing properties outside the City limits of the City of Grangeville currently connected to the City water and/or sewer systems are entitled to continue to be served with water and/or sewer and pay therefor the then existing rates described herein for nonresident users.

D. Nothing in this section shall be construed so as to prevent the City from annexing properties of current nonresident users of City services pursuant to Idaho State law.

8-5-20: CROSS CONNECTION CONTROL POLICY:

A. The City of Grangeville shall adopt by resolution a City of Grangeville Cross Connection Control Policy to control and regulate any actual or potential connection or piping arrangement between the City's public water system and any other source or system through which it is possible to introduce into the City's public water system, water from any source other than an approved public water system, industrial fluid, gas or substance other than the intended potable water with which the system is supplied.

B. The City Clerk shall maintain a copy of the most current version of the City of Grangeville Cross Connection Control Policy at the Office of the City Clerk for use and examination by the public during normal business hours.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3: This ordinance shall become effective upon its passage, approval, and publication by summary in the Idaho County Free Press.

This ordinance passed under a suspension of the rule requiring three readings on separate days at a regular meeting of the City Council held on the 2nd day of November, 2020.

WES LESTER, Mayor

ATTEST:

TONYA KENNEDY, City Clerk