

CHAPTER 24  
CITY OF MAPLE LAKE

**ORDINANCE REGULATING WATER SYSTEM**

**24.01 GENERAL PROVISIONS ON WATER SYSTEM**

- Subd. 1. Water Department** - There is hereby established a water department, which shall be under the supervision of the Public Works Director. The department shall be responsible for the management, maintenance, care, and operation of the water system of the City.
- Subd. 2. Use of Water System Restricted** - No person shall make or use any water service installation connected to the City water system except as provided in this chapter. No person shall make or use any such installation contrary to the regulatory provisions of this chapter.
- Subd. 3. Application and Contact Information** - The City in its sole discretion may require an application and/or deposit for water service. Customers are responsible for notifying City of contact information including, but not limited to, name, address (including Post Office Box if applicable), telephone number(s), etc. If the City is not notified of the name of the account owner within 10 days of receiving service for which the account owner is responsible for (i.e. moving in), a fee in an amount as set forth in the City's Fee Schedule shall be added to each month's bill until the City is notified of the account owner's name.
- Subd. 4. Charges for Service Connections**
- A. **Permit and Fee** - No connection shall be made to the City water system without payment of the proper fees including but not limited to payment of the Water Access Connection (WAC) fee and meter fee. These fees shall be as set forth in the City's Fee Schedule. These fees shall be in addition to any fees required under 24.01, subdivision 4 B, C and D.
  - B. **Connection Fees** - When a connection requires installation of a service line from the main to the property line, the property owner or his agent, shall pay to the City an amount not less than the cost of making the necessary connections, taps, and installation of pipe and appurtenances to provide service to the property and the necessary street repairs. Where City employees, agents, or engineers inspect the connections, taps, and installation of pipe and appurtenances, the property owner or his agent shall pay to the City an amount not less than the cost of making the necessary inspections.

- C. Review of Records - No connection shall be made unless the records show one of the following or the payment required under 24.01, subdivision 4D is made:
1. That the lot or tract to be served has been assessed for the cost of construction of the main with which the connection is made or that proceedings for levying such assessment have been or will be commenced in due course; or
  2. That the cost of construction of the main has been paid by the developer or builder platting the lot or tract; or
  3. That, if neither of the foregoing is true, a sum equal to the portion of the cost of constructing the main which would be assessable against the lot or parcel has been paid to the City.
- D. Additional Connection Fee - If the records do not show one of the above, the property owner or his agent shall pay an additional connection fee equal to the portion of the cost of construction of the main upon the same basis as any assessment previously levied against other property for the main. The determination shall be made by the City Engineer. If no such assessment has been levied, the assessable cost shall be determined upon the basis of the uniform charge which may have been or will be charged for similar connection with the main. The uniform charge shall be based on the number of equivalent residential units of water service the benefitted premises will accommodate.

**Subd. 5. Accounting and Billing**

- A. Accounts in name of owner - All accounts shall be carried in the name of the owner. If the property is rental property, the occupant may also be listed as an account owner. However, the owner shall be liable for water supplied to his property, whether he is occupying the property or not, and any unpaid charges shall be a lien upon the property. For rental property, no payment arrangements for past due bills shall be entered into with the occupant without the property owner's written consent.
- B. Water Rates - For each month during which water service is furnished, each water user shall pay a monthly service charge as set forth in the City's Fee Schedule.
- C. Bills for service - Water, sewer and refuse service charges shall be billed together. Bills shall be mailed to the customers monthly and shall specify

the water consumed and the water/sewer charges in accordance with the rates set out in this chapter, Chapter 29 of the City Ordinance (Sewer Charge System), and the City's Fee Schedule.

- D. Delinquent accounts - All charges for water, sewer and refuse service shall be due on the monthly due date specified by the City for the respective account and all charges not paid within 25 days after the bill has been sent shall be assessed a late fee. At that time, the City shall notify the owner/occupant of the past due bill and a late fee shall be assessed. The amount of the late fee shall be as outlined in the City's Fee Schedule. The City shall endeavor to collect delinquent accounts promptly. Delinquent accounts may be subject to disconnection of services and certification to the County resulting in the amount due being a lien against the property served. Delinquent charges may also, at the option of the City, be enforced against the owner, lessee, or occupant of the property benefitted by the connection service, or availability of service, or against all of them in a civil action without the waiver of other remedies.
- E. Authority of City Clerk - The City Clerk is authorized to order continuation of the customer's service and shall have the authority to adjust the customer's bill or enter into a mutually agreeable payment plan.

**Subd. 6. Disconnecting City Water Service**

- A. Inactive Status- Any City water service customer or property owner responsible for paying for water service desiring to temporary discontinue the use of City Water must make a request to inactivate the service. The Public Works Director will then take a final meter reading. A fee as set forth in the City's Fee Schedule shall be charged to inactivate service. Such fee will include charges for re-activating service.
- B. Shutoff for Non-payment - Water shall not be shut off under Section 24.01, subdivision 5 D or for a violation of rules and regulations affecting utility service until notice and an opportunity for a hearing have first been given to the owner and occupant of the premises involved. The notice shall be mailed to the last known address of the owner and occupant and shall state that if payment is not made before a day stated in the notice but not less than 20 days after the date on which the notice is mailed, the water supply to the premises will be shut off. The notice shall also state that the owner or occupant may, before such date, demand a hearing on the matter, in which case the supply will not be cut off until after the hearing process is complete. If the owner or occupant requests a hearing before the date specified, a hearing shall be held on the matter by the City Council at its next regularly scheduled meeting. If, as a result of the hearing, the City

Council finds that the amount claimed to be owing is actually due and unpaid and that there is no legal reason why the water supply of the delinquent owner/occupant may not be shut off in accordance with this Ordinance, the City may shut off the supply provided the charges have been due and unpaid for at least 30 days.

C. Shutoff for Health and Safety Reasons - The Public Works Director, to protect the public health and safety and in order to protect the public water supply and/or private property, may order the City water service disconnected to any property upon determining that any of the following conditions exist:

- 1) The property is vacant;
- 2) The property is unsecured;
- 3) The property is determined to be uninhabitable or unsuitable for occupancy;
- 4) Other utilities to the property providing heat or light have been shut off;
- 5) The property has plumbing that is failing or unsafe; or
- 6) That running water to the property creates an unsanitary or unsafe condition to anyone who may enter the property;
- 7) The property owner or occupant has refused access by authorized officials as authorized by this Chapter.

Unless an immediate emergency exists, water service shall not be disconnected until five calendar days after the City has provided written notice of the impending disconnection to the property owner of record by mail and by posting notice on the building.

D. Shutoff and Re-connection - The Public Works Director may, after the procedural requirements of Section 24.01, subdivisions 6 B and C have been complied with, discontinue service to the delinquent owner/occupant by shutting off the water at the curb stop box. When water service to any premises has been discontinued, service shall not be restored except upon the payment of all delinquent bills and a re-connection fee as outlined in the City's Fee Schedule. Payment must be made at City Hall no later than 3:00 p.m. If payment is made online prior to that time, the owner/occupant must call City Hall and notify them of the payment in order to avoid being disconnected/request re-connection. If payment is made after 3:00 p.m., services will not be restored until the next business day. It is prohibited for anyone, other than an authorized City Employee, to turn on any water supply at the curb stop box without the written permission of the Public Works Director.

**Subd. 7. Certification**

- A. The City shall certify delinquent bills to the County on at least a yearly basis, and may certify delinquent bills more frequently if needed. Unpaid charges on accounts shall not be certified to the County Auditor until notice and an opportunity for a hearing have been provided to the owner of the premises involved. The notice shall be sent by first class mail and shall state that if payment is not made before the date for certification, the entire unpaid amount plus penalties will be certified to the County Auditor for collection as other taxes are collected. The notice shall also state that the owner/occupant may, before such certification date, attend or schedule a hearing on the matter to object to certification of delinquent utility charges.
- B. The owner of the property shall have the option of paying the balance due on the account until the date the notice of certification hearing is mailed. After the date the notice of certification hearing is mailed, payments will still be accepted but the balance due will include unpaid penalties.
- C. A hearing shall be held on the matter by the City Council. Property owners with delinquent utility charges shall have the opportunity to object to the certification of delinquent charges to be collected as taxes are collected. If, after the hearing, the City Council finds that the amounts claimed as delinquent are actually due and unpaid and that there is no legal reason why the unpaid charges should not be certified for collection with taxes in accordance with this Ordinance, the City may certify the unpaid charges to the County Auditor for collection as other taxes are collected.
- D. For each certification sustained, the property owner shall have the following options after the hearing:
  - 1. To pay the delinquent amount listed on the preliminary roll, but without additional interest after the hearing, within 10 days of the hearing date.
  - 2. To pay the certified delinquent amount after the hearing date, but before the County certification deadline, with interest at the rate set in the adopted rate schedule, accrued beginning on the 11<sup>th</sup> day following the hearing date through the date of payment.
  - 3. To pay the certified charges as billed to them by Wright County on their property tax statement with a collection term of 1 year.
- E. Within fifteen days after the hearing, the certified roll, minus any payments, shall be delivered to Wright County.

**Subd. 8. Entry of Premises** - The Public Works Director or other designated official or employee of the City may, at all reasonable hours, enter any private premises for the purpose of inspecting water and sewer system connections, meters, plumbing, and appurtenances to ensure compliance with this or other applicable laws, regulations and ordinances.

## **24.02 WATER SYSTEM REGULATIONS**

### **Subd. 1. General Water Regulations**

- A. Discontinuance of Service - The City may discontinue service to any water owner/occupant without notice for necessary repairs or in emergency situations, or, upon notice as provided in 24.01, subdivision 6 B for nonpayment of charges, or upon notice as provided in 24.01, subdivision 6 C for health or safety reasons, or for violation of rules and regulations affecting utility service.
- B. Supply From One Service - No more than one house or building shall be supplied from one service connection except by special permission of the City Council. Whenever two or more parties are supplied from one pipe connecting with a service main, each building or part of building separately supplied shall have a separate curb stop box and a separate meter.
- C. Turning On Water, Tapping Mains - No person except an authorized City 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 insert a corporation stop or other appurtenance therein without written permission from the Public Works Director.
- D. Repair of Leaks - The owner/occupant shall be responsible for maintaining the service pipe from the curb stop box into the building served. If he fails to repair any leak in such service pipe within 24 hours after notice by the City, the City may turn the water off. The water shall not then be turned on again until the repair is fixed or a deposit in the amount of the estimated charges resulting from the leak is provided to the City. When the waste of water is great, or damage is likely to result from the leak, the City shall turn the water off immediately upon the giving of notice if repair is not commenced immediately.
- E. Use of Fire Hydrants - No person other than an authorized City Employee shall operate a fire hydrant or interfere in any way with the City water system without first obtaining authority to do so from the Public Works

Director.

- F. Connection Required - The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which water is consumed and which is situated within the City and adjacent to any street, alley, or right-of-way in which there is now located, or may in the future be located, a public water main of the City, shall be required at the owner(s) expense to install a suitable service connection to the public water supply in accordance with the provisions of this Code. Said connection must be made within 10 days of the date said public water is operational, provided said public water supply is available at the property line.
- G. Private Water Supply -
1. Private water supply shall only be allowed pursuant to state regulations. If a private water supply is used for irrigation purposes, the owner/occupant must comply with any notification requirements outlined in the City's watering ban policy.
  2. No water pipe of the City water supply system shall 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 Public Works Director shall notify the owner to sever the connection and if this not done immediately, the City shall turn off the water supply forthwith. Before any new connection to the City system is permitted, the Public Works Department shall ascertain that no cross connection will exist when the new connection is made.
- H. Restricted Hours - Whenever the Council determines that a shortage of water supply threatens the City, it may limit the times and hours during which City water may be used for sprinkling, irrigation, car washing, air conditioning, or other specified uses. The restrictions shall be as set forth in the City's Watering Ban Policy, as may be amended. Notice of changes to the restrictions shall be by publication or delivery of a notice of the restrictions to the premises of each owner/occupant. During restricted periods, no person shall use, or permit water to be used, in violation of the policy, and any owner/occupant who does so shall be charged a fee as set forth in the City's Watering Ban Policy for each day of violation and the charge shall be added to his next water bill. Continued violation shall be cause for discontinuance of water service.

- I. Permitting Use By Others - City water shall only be used by the owner/occupant on his own premises unless an emergency exists and written permission is first obtained from the Public Works Director. Anyone wishing to obtain water from a hydrant for construction purposes shall make application to the Public Works Director for such services.

**Subd. 2. Meters**

- A. Meters Required - Except for the extinguishment of fire, no person other than an authorized City Employee shall use water from the City water supply system or permit water to be drawn therefrom unless the water passes through a meter supplied or approved by the City. No person not authorized by the Public Works Director shall connect, disconnect, take apart, or in any manner change or interfere with any such meter or its use.
- B. Deposit - Meters shall be provided by the City at its expense, but each owner/occupant shall pay a non-refundable deposit on each water meter in an amount set by the City's Fee Schedule.
- C. Maintenance - The City shall maintain and repair at its expense any meter that has become unserviceable through ordinary wear and tear and shall replace it if necessary. Where repair or replacement is made necessary by act or neglect of the owner/occupant of the premises it serves, any City expenses caused thereby shall be a charge against and collected from the water owner/occupant, and water service may be discontinued until the cause is corrected and the amount charged is paid.
- D. Complaints, Meter Testing - When a owner/occupant complains that the bill for any past service period is excessive, the City shall have the meter reread on request. If the owner/occupant remains dissatisfied, he/she may, on written request and payment of a deposit in an amount set by resolution of the City Council, have the meter tested. If the test shows an error in the City's favor exceeding five percent of the water consumed, the deposit shall be refunded, an accurate meter shall be installed, and the bill shall be adjusted accordingly. Such adjustment shall not extend back more than one service period from the date of the complaint. If the test does not show an error in the City's favor exceeding five percent of the water consumed, the amount of the bill shall be due immediately and any deposit received shall be applied to the amount owed, including the cost of the test. The outstanding balance, if any, shall be due and payable in accordance with the provisions outlined herein.
- E. Meters Property of City - Water meters shall be the property of the City and may be removed or replaced as to size and type when deemed



necessary.

- F. Meter Reading and Inspection - Authorized meter readers shall have free access at reasonable hours of the day to all parts of every building and premises connected with the City water supply system in order to read meters and make inspections.

**Subd. 3. Plumbing Regulations**

- A. Service Pipes - Every service pipe shall be laid with sufficient bend to allow not less than one foot of extra length and in such manner as to prevent rupture by settlement. The service pipe shall be placed not less than four feet below the surface and be so arranged as to prevent rupture by freezing. A shut off or other stop cock with waste valve of the size and strength required shall be placed close to the inside wall of the building and be well protected from freezing. Copper tubing shall be used for all services of two inches or less. Joints on copper tubing shall be as few as possible and not more than one joint shall be used for a service up to 70 feet in length. Each joint shall be left uncovered until inspected by the City. Every service over two inches shall be ductile iron or PVC. Connections with the mains for domestic supply shall be at least one inch.
- B. Water Meter Setting - Every water meter shall be installed in accordance with the following provisions:
  - 1. The service pipe from the water main to the meter shall be brought through the floor in a vertical position where the pipe enters the building. The stop and waste valve shall be 12 inches above the floor. Access shall not be through a crawl space.
  - 2. The bottom of the meter shall be between 6 and 12 inches above the finished floor line. The meter shall be set not more than 12 inches horizontally from the inside line of the basement wall unless a different position is approved by the Public Works Director. It shall be the resident's responsibility to have a suitable bracket to support the meter in a proper vertical position and to prevent noise from vibration.
  - 3. Each meter installation shall have a stop and waste valve on the street side of the meter. In no case shall more than 12 inches of pipe be exposed between the point of entrance through the basement floor and the stop and waste valve. A stop and waste valve shall also be installed on the house side of the meter.

4. The waste pipe connecting with the main shall not exceed 2 feet under the basement floor from the inside of the basement wall to the water meter connection.
  5. Meter setting devices for 5/8 inch meters shall be of copper pipe or tubing from the terminus of the service pipe up to and including the stop and waste valve on the building side.
- C. Location of Curb Stop Boxes - Curb stop boxes shall be installed generally where desired by the owners of occupied properties, but they shall be placed at the property line or within the utility easement where sidewalk exists. They shall be installed so that the top of the curb stop box is level with the established grade and shall be left in an accurate vertical position when back-filling is completed.
- D. Repairs - All repairs or replacements of service pipes between the curb stop and the building plumbing shall be made at the expense of the owner/occupant. Any repairs or replacements between the main and the curb stop, including the curb stop shall be made at the expense of the City.
- E. Freezing - A stop and waste cock will be required on every water service extension within the premises below the frost line in such location as to permit the pipe to be emptied to prevent freezing. All service pipes which become frozen between the curb stop and the premises served shall be thawed at the expense of the owner/occupant. Any frozen pipes from the water main to the curb stop shall be thawed at the expense of the City.

### **24.03 PENALTY FOR VIOLATIONS**

A violation of this Ordinance shall be a misdemeanor. Each day that a violation exists shall constitute a separate offense. In addition, the City may terminate the water service to any utility owner/occupant who violates this Ordinance, in the manner provided herein.

#### **Amendment History of this Section**

**Amended June 17, 2008 (R2008-30). Effective Date: July 2, 2008** Numerous changes were made throughout the Ordinance.

**Amended November 18, 2008 (R2008-57). Effective Date: November 26, 2008.** Section 24.01, Subd. 3: Language requiring contact information was added; Section 24.01, Subd. 4C: Heading was changed from Certification to Review of Records; Section 24.01: Added Subdivision 6; Section 24.02, Subd. 1 A: added *or upon notice as provided in 24.01, subdivision 6 C for health or safety reasons.*