

CHAPTER 51: WATER SERVICE AND REGULATIONS

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DECATUR - WATER SERVICE AND REGULATIONS

WATER RATES, CHARGES, FEES, ETC.

§ 51.00 REMOVAL FROM JURISDICTION OF INDIANA UTILITY REGULATORY COMMISSION.

The City of Decatur's municipally owned water utility is hereby removed from the jurisdiction of the Indiana Utility Regulatory Commission for the approval of rates and charges and of the issuance of stocks, bonds, notes or other evidence of indebtedness. (Ord. 1990-3, passed 6-5-90)

§ 51.01 WATER RATES.

There are established for the use of and the service rendered by the waterworks system of the city the following rates and charges, based on the use of water supplied by the waterworks system:

Rates per 100 cu. ft.

(A) Metered rates per month Inside Outside*

First 360 Cubic Feet	\$ 1.57	\$ 2.03
Next 900 Cubic Feet	1.51	1.96
Next 1,000 Cubic Feet	1.46	1.89
Next 2,000 Cubic Feet	1.35	1.73
Next 16,000 Cubic Feet	1.18	1.55
Next 20,000 Cubic Feet	.65	.86
Next 40,260 Cubic Feet	.59	.78

* Outside: Where hydrants are available

(B) Minimum charge.

(1) Each user shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user will be entitled to the quantity of water set out in the above schedule of rates:

<u>Size of meter per month</u>	<u>Rates per 100 cu. ft.</u>	
	<u>Inside</u>	<u>Outside*</u>
5/8"	\$ 5.65	\$ 7.30
3/4"	5.65	7.30

<u>Size of meter per month</u>	<u>Rates per 100 cu. ft.</u>	
	<u>Inside</u>	<u>Outside*</u>
1"	6.35	8.20
1-1/4"	9.75	12.60
1-1/2"	14.80	19.00
2"	18.75	24.20
3"	25.50	33.00
4"	31.50	40.60
6"	49.25	63.50

*Outside: Where hydrants are available

(2) The rates and charges for users of water outside the corporate limits of the City shall be 130% of the monthly rates and charges for all other users, provided, however that such additional charge shall apply only if fire hydrants are maintained in the general area for furnishing fire protection to the property so served and that the City is not otherwise compensated for fire hydrant service.

(C) Fire hydrants per annum: \$170.00

(D) Municipal drinking fountains per annum 150.00

(E) Private fire protection Per annum

6 inch connection	\$255.00
8 inch connection	465.00
10 inch and over connection	705.00

(F) Temporary users. Water furnished to temporary users, such as contractors, circuses, etc., shall be charged on the basis of the metered rates hereinabove set forth as estimated and established by the Superintendent.

(G) Tap charge.

(1) A tap charge shall be collected from each customer, prior to connection to the water system, in an amount sufficient to reimburse the City for the labor and material necessary for tapping the main and installation of service from the main to the curb stop and the cost of furnishing and installing a suitable water meter.

(2) The charge for a 5/8 inch to a 3/4 inch installation shall be in the amount of \$400.00. The charge for installations larger than 5/8 inch to 3/4 inch shall be the labor and material costs

incurred, with minimums for the tapping machine as follows:

Up to 4-inch	\$135.00
4-inch	165.00
6-inch	235.00
8-inch	270.00
10-inch	305.00
12-inch	335.00

(H) Minimum charges for miscellaneous billing.

(1) Turn on connection charge -----	\$ 15.00
(2) Service call charge -----	10.00
(3) Read-o-matic charge -----	12.00
(4) Hydrant connection charge -----	50.00
(5) Insufficient fund/personal check -----	20.00
(6) Meter test:	
5/8" and 3/4" -----	7.50
1 " -----	10.00
Over 1" -----	actual cost
(7) Labor -----	12.50/hr

(I) Monthly rates for resale of raw water.

	<u>GALLONS</u>	<u>Rate per 1000 gallons</u>
FIRST	750,000	0.24
NEXT	1,250,000	0.22
NEXT	2,000,000	0.19
NEXT	6,000,000	0.18
NEXT	10,000,000	0.15
MINIMUM MONTHLY CHARGE		180.00

(J) Clarification charges.

In the event that any rate, charge, fee, etc. designated in Section 51.01 shall conflict with any rate, charge, fee, etc. specifically designated, defined, and/or applied in any of the following sections of this chapter, the rate, charge, fee, etc. designated in 51.01 shall govern over those designated in subsequent sections. (Ord. 1994-11, passed 10-18-94)

§ 51.02 RULES AND REGULATIONS ON FILE.

A copy of all rates, rules, and regulations under which water service will be rendered is filed for the convenience of the public in the general office of the utility and with the state public service commission. ('67 Code, §31.02)

§ 51.03 WRITTEN APPLICATION OF CONTRACT REQUIRED.

A written application for the service or a contract properly executed will be required from a prospective customer (including contractors and builders) before the utility will supply service; however, the utility shall have the right to reject an application for any valid reason. Where unusual construction or equipment expenses will be involved in furnishing the service, the utility may require the contract to be for an appropriate period of time specified by the utility when the contract is executed. ('67 Code, §31.03)

§ 51.04 MODIFICATION OF CONTRACT.

No promise, agreement, or representation by any agent of the utility shall be binding upon the utility unless it has been incorporated in a written contract signed and approved by an agent of the utility authorized to sign such contract on behalf of the utility. ('67 Code, §31.04)

§ 51.05 ASSIGNMENT OF CONTRACT.

The benefits and obligations under any contract for the supply of water by the utility shall begin when the utility commences to supply water service thereunder and shall so inure and be binding upon the successors, assigns, survivors, executors, or administrators, that no assignment thereof shall be made by the customer or by any successor, assign, survivor, executor, or administrator, unless the utility's written consent to any such assignment is first obtained. ('67 Code, §31.05)

§ 51.06 TURNING ON WATER SERVICE.

(A) Until a contract for water service has been executed and a meter has been installed, water shall not be turned on at any premises by anyone but a water utility representative. No person except an authorized employee of the water utility, fire, and street department, or any other authorized person shall open, operate, or remove the nozzle cap from any fire hydrant to which water is supplied by utility. When water is required to test plumbing before a water contract has been executed and a meter installed, a water utility employee shall be called to make the turn-on and turn-off. It is a violation of this chapter for anyone except a water utility employee to make such turn-on.

(B) A violation of this rule will subject the offender to the penalty provided in §51.199 of this chapter and to payment for the estimated quantity of water consumed during the period the water was turned on without authority from the water utility. ('67 Code, §31.06)

§ 51.07 DESCRIPTION OF SERVICE TO BE FURNISHED.

Upon request, the customer shall present to the utility a written list of the devices which are to be attached to the utility's lines, giving the location of the building, and the utility then will advise the form and the character of the supply available. ('67 Code, §31.07)

§ 51.08 WASTE OF WATER.

There shall be no waste of water either to prevent freezing or for other purposes. Water will not be furnished where there are leaky pipes or fixtures. When such conditions are found the supply will be shut off until repairs have been made. Consumers shall keep their own service pipes from the curb box or curb stop in repair and protect the same from frost at their own expense, and must prevent all unnecessary waste of water. ('67 Code, §31.08)

SERVICES - TAPS

§ 51.20 LOCATION OF SERVICE CONNECTION.

The utility reserves the right to locate the point at which the service connection will be made, and to furnish and run service pipe from the main to the curb line, inside line of sidewalk or customer's property line, whichever, in the judgment of the utility, will provide the safest, most convenient and most satisfactory location for the curb stop and service box. ('67 Code, §31.20)

§ 51.21 COST OF SERVICE CONNECTION.

The customer shall pay the utility for the cost of such service connection, water meter and remote meter reading device based upon the rates and charges set forth in §51.01, however, where the distance from the water main to the customer's curb box exceeds 50 feet the customer shall pay the actual cost for the connection in excess of 50 feet. ('67 Code, §31.21)

§ 51.22 SERVICE LINE.

The customer, at his own expense, shall install, or cause to be installed, the service line from the curb stop into his own premises. The utility and/or the city plumbing inspector reserves the right to inspect, before the service trench is backfilled, each service run made by a plumber, a contractor, or an individual customer. ('67 Code, §31.22)

§ 51.23 SERVICE PIPE AND FIX TIME REQUIREMENTS.

Service pipe to the meter shall be type "K" copper and so stamped or labeled. All underground connections shall be type "K" copper and so stamped or labeled. All underground connections shall be of flare connections. Service pipe must be at least 3½ feet below the surface and shall be so protected as to prevent injury occasioned by freezing.

§ 51.24 SERVICE TO MORE THAN ONE BUILDING.

Water service will not be furnished through a single service pipe to more than one residence or building, but if the situation is exceptional, requiring special consideration, the utility shall require a minimum charge, over and above the actual water usage for each additional residence or building, equal to the size of the meter. ('67 Code, §31.24)

§ 51.25 INSTALLATION OF SERVICE PIPE.

A new service pipe between the distribution main and a building shall be run in a straight line, whenever it is practicable and possible, without bends and at a depth of not less than 4 feet. No pipe having joints shall be driven. ('67 Code, §31.25)

§ 51.26 PERMITS AND FEES.

Developers, contractors, and individuals requesting taps shall obtain from the water superintendent the necessary permits for each lot or separate premises to be served. Applications for taps shall be accompanied by the necessary prevailing fees. ('67 Code, §31.26)

§ 51.27 PREREQUISITES FOR INSTALLATION OF TAPS.

Taps will not be installed until platting has been approved, rough grading has been completed, and sidewalks and curbs have been located. If pavement is to be placed where a main or taps are to be installed, then the developer shall give the utility adequate notice so that they can be installed prior to paving. ('67 Code, §31.27)

§ 51.28 TAP INSTALLATION.

All water taps will be installed by the water utility. ('67 Code, §31.28)

§ 51.29 INSTALLATION AND MARKING SERVICE LINE.

Water service lines and sewer lines are not to be installed in the same trenches unless they are laid 4 feet apart and bedded on firm soil. All sewer and water line installation shall be approved by the state board of health. If the service line from the house to the curb shutoff valve site is installed prior to the utility installing the service tap, the end of the line shall be marked as above, or the service pipe shall project above the surface to show its location. In general, taps shall be installed at the front center line of the lot, and the plumber's portion of the service line between the curb shutoff and the property line shall extend perpendicularly to the main completely to the property line of the lot served, before any change in direction is made. The curb box will be installed 7 to 9 feet from the property line in the park strip whenever possible. ('67 Code, §31.29)

§ 51.30 LIABILITY FOR REPAIRS.

Any developer, general contractor, or person responsible for disturbing or damaging water service or valve boxes, once the services have been properly installed, shall be liable for the cost of repairs. ('67 Code, §31.10)

§ 51.31 SCHEDULING OF TAPS.

The utility will make every reasonable effort to assist the customer or developer in scheduling the tapping for orderly installation to avoid needless conflict or delay. A week's notice of the need for a tap shall be given by owner or builder. ('67 Code, §31.31)

§ 51.32 TEMPORARY METERING.

The supply of water for construction, including commercial and industrial, will necessitate the installing of a meter in temporary housing giving sufficient protection to prevent freezing or vandalism. ('67 Code, §31.32)

§ 51.33 REPAIR OF SERVICE PIPES.

All service pipes from the curb box to the basement or meter which have heretofore been installed with galvanized iron pipe and which have become leaky shall not be repaired with galvanized iron pipe, but the same shall be replaced with copper as hereinbefore specified for new services. Plumbers must obey this rule. ('67 Code, §31.33)

SERVICE PIPING AND FITTINGS

§ 51.40 SHUTOFF VALVES.

Each applicant for service shall, at his own expense, equip his service line with a suitable shutoff valve or valves just inside the foundation wall and shall provide all piping and attachments, all of which shall be assembled, installed, and maintained by him, subject to the approval of any authorized inspectors and in accordance with the utility's general rules and regulations in force at that time. Each 3/4-inch service line shall have a compression-type stop and waste valve on the inlet side of the meter. Each one-inch or larger service line shall have gate-type shutoff valves on both the inlet and outlet sides of the meter. ('67 Code, §31.40)

Cross-reference:

Bypass of meter, §51.72

§ 51.41 MAINTENANCE BY UTILITY.

All service pipes from the water main to and including the curb stop shall be maintained in good repair at the expense of the utility, including the replacement thereof if necessitated because of damage, corrosion, tuberculation, or other deterioration. ('67 Code, §31.41)

§ 51.42 MAINTENANCE BY PROPERTY OWNER.

All service pipes and fixtures from the curb stop to the meter shall be installed and maintained at the expense of the property owner and any leaks or other defects in these shall be properly repaired by him. Service extended to property not adjacent to a water main, whether through public or private property, shall be considered a service pipe, the maintenance of which will be the customer's responsibility, unless the line or main has been accepted in writing for maintenance by the utility prior to its installation. If needed repairs are not made to service lines within 7 days of written notification by the utility, service to the property shall be discontinued

until the repairs are made. ('67 Code, §31.42)

§ 51.43 CROSS CONNECTIONS; STATE REGULATIONS.

Any cross connections with other sources of water supply shall be made in conformity with the rules and regulatory of the state board of health and/or such requirements as other regulatory bodies may from time to time require and/or the rules and regulations of the utility in force at that time. Copies of the state board of health regulations and requirements are on file in the office of the utility for the benefit and inspection of parties concerned. ('67 Code, §31.43)

§ 51.44 CROSS CONNECTIONS: PHYSICAL CONNECTIONS PROHIBITED.

All plumbing shall conform to the city plumbing code which does not permit physical connections between the public water supply and waste lines, process solution lines tanks, etc., unless properly protected by approved safety devices. ('67 Code, §31.44)

§ 51.45 CROSS CONNECTIONS; INSPECTIONS.

A utility representative will make periodic inspections of customer's piping and will report any violations, as set out in §§ 51.43 and 51.44 above, to both the customer and to the respective regulatory authority. The utility will not assume responsibility for damage, sickness, or death arising from the existence of an improper cross connection or the use or failure of a cross connection. The discovery of a noncomplying installation may lead to a disconnection of service.

§ 51.46 USE OF BOOSTER PUMP.

No booster pump shall be installed without the written approval of the utility. In all booster pump installations the suction of the pump shall be connected to an atmospheric tank with the public water supply entering the tank being controlled by an automatic float valve and freely discharging into the tank a minimum of 6 inches above the positive overflow level of the tank. As an alternate, a vacuum breaker valve with a cushioning valve shall be installed on the suction of the pump. ('67 Code, § 31.46)

METER READINGS AND BILLINGS

§ 51.50 MONTHLY READINGS AND BILLINGS.

Meters will be read monthly and bills will be rendered monthly, according to the schedule of rates filed. If a bill is not paid on or before the due date (approximately 22 days after the current meter reading date or 10 days after the anticipated mailing date, whichever is later) indicated on the bill, the customer will be considered delinquent and, at any time thereafter prior to the payment thereof, the utility may, 10 days after written notice has been given to such delinquent customer, discontinue service. ('67 Code, § 31.50)

§ 51.51 MINIMUM CHARGE.

A minimum charge of \$4 shall be made for either a turn-off or turn-on. ('67 Code, § 31.51)

§ 51.52 LIABILITY FOR CHARGES.

All water charges follow the customer and the property. If the customer moves from premises where he has been supplied with water service, he will be held responsible for the payment of all bills rendered for the service supplied to the premises unless he gives proper notice at the office of the utility that service is to be discontinued at the premises. If such payments are not made, additional services at another location will not be rendered by the water utility until such payments are made. ('67 Code, § 31.52)

§ 51.53 FIRE PROTECTION BILLING.

Bills for public fire protection shall be rendered semiannually. Bills for private fire protection and municipal drinking fountains shall be rendered annually in advance. ('67 Code, § 31.53)

§ 51.54 PLACE OF PAYMENT.

Each bill shall be due upon receipt and payable at the water utility office or at such other places as may be designated by the utility. ('67 Code, § 31.54)

§ 51.55 CALCULATIONS OF CHARGES.

All charges for water service, other than the service charge, if any, shall be calculated upon the registration of the meter or meters installed. ('67 Code, § 31.55)

§ 51.56 READING OF METERS; READ-O-MATICS.

The utility will make an effort to read meters monthly and such reading shall be prima facie evidence of the amount of water used. If the utility is unable to gain access to a customer's property, the customer shall be billed an estimated charge based on the average of previous meter readings. The first billing made after the meter is read shall be adjusted according to the meter reading. No more than 3 consecutive estimated billings will be allowed; after that, the customer may be required to have a read-o-matic installed. ('67 Code, § 31.56)

§ 51.57 BILLING MULTIPLE METERS.

Where water is taken through more than one meter, and where such arrangement is for the convenience of the customer, then each meter shall be read and billed separately. Where water is taken from more than one main or more than one meter for the convenience of the utility, then the meter readings shall be aggregated and billed as one reading. ('67 Code, § 31.57)

§ 51.58 BILLING FOR ALL METERED WATER.

All water passing through meters shall be charged for, whether used, wasted, or lost through leakage. ('67 Code, § 31.58)

§ 51.59 RESALE OF WATER.

The water furnished under these rules is for the use of the customer on his premises; he shall not resell any of it without the written consent of the utility. ('67 Code, § 31.59)

§ 51.60 ACCESS TO PREMISES.

The properly authorized representatives of the utility shall have the right to enter upon the premises of the customer at all reasonable times for the purpose of inspecting cross connections, protective devices, atmospheric tank installations, booster pump vacuum breaker valves, and general plumbing, as well as for the purpose of reading, inspecting, repairing or replacing the meter or meters used in connection with the service and removing such meter or meters at the termination of the contract or the discontinuance of the service. ('67 Code, § 31.60)

§ 51.61 MAINTENANCE OF METER AREA.

Wherever a meter is set the consumer shall be required to keep the surroundings of the meter clean, dry, and of easy access, and protect the same from freezing. In case of a violation of this provision and failure on the part of the owner or occupant of the premises to remove such obstruction upon notice from the water department, the water shall be shutoff immediately from the premises. ('67 Code, § 31.61)

§ 51.62 INSPECTION OF METER AND PLUMBING.

The water department reserves the right to examine the meter and plumbing connected with the water works system, at any and all reasonable times. ('67 Code, § 31.62)

§ 51.63 LEAKAGE.

No credit will be allowed for leakage after the same has passed through the meter unless so ordered by the water works committee. ('67 Code, § 31.63)

§ 51.64 METER TESTS.

All meters shall be tested by the water department whenever deemed necessary by the superintendent and shall be tested once a year free of charge whenever requested by the consumer. Otherwise the charge of testing shall be paid by consumer. ('67 Code, § 31.64)

§ 51.65 ERRONEOUS BILLS.

All bills erroneously charged shall be corrected for the current month only if the results of the test in the judgment of the superintendent warrant correction. ('67 Code, § 31.65)

§ 51.66 METER SEALS.

It shall be unlawful for anyone to break or remove a seal placed upon any meter or stop by the water department. ('67 Code, § 31.66)

METERS

§ 51.70 GENERAL METER INFORMATION.

Unless otherwise specified in the contract between the utility and the customer or by the rate on file, the water supplied will be measured by a meter or meters of standard manufacture, furnished and installed by the utility according to its requirements in force and effect as amended from time to time. The customer shall provide for this purpose, free of expense to the utility, a suitable place near the service entrance, either in the basement or in a location which is approved by the utility before installation and which is readily accessible to the utility. ('67 Code, § 31.70)

§ 51.71 SIZE OF METER.

The utility will designate the size of the meter to be used for serving any customer. Each building to be served must be supplied by at least a 3/4-inch service. When the service is larger than this, the utility reserves the right to designate the number of meters that can be supplied by such service. ('67 Code, § 31.71)

§ 51.72 BYPASS OF METER REQUIRED.

(A) Bypass around any new meter installation will be required under any of the following circumstances:

- (1) The service line on the outlet side of the meter is 1-1/2 inches or larger;
- (2) The service line, regardless of size, serves refrigeration equipment;
- (3) The water service must not, for any reason, be interrupted while the meter is being repaired or replaced.

(B) The bypass shall be furnished and installed by the customer according to the utility's specifications. Where existing piping not containing a bypass is altered to meet any of the above conditions, the alteration shall also include the installation of a bypass. ('67 Code, § 31.72)

§ 51.73 OWNERSHIP OF METERS AND APPLIANCES.

All meters or other appliances and equipment which are furnished by and at the expense of the utility and which may at the time be on the customer's premises shall, unless otherwise provided herein, be and remain the property of the utility; the customer shall protect such property from freezing and from loss or damage and no one who is not a representative of the utility shall be permitted to remove such property or tamper therewith. ('67 Code, § 31.73)

§ 51.74 METER REPAIR.

Ordinary repairs to meters will be made by the utility without expense to the customer. Repairs of damage caused by carelessness or neglect on the part of the customer will also be made by the utility, but the cost of such repairs shall be charged to the customer. ('67 Code, § 31.74)

§ 51.75 METER INSPECTION AND TESTS.

A meter may be inspected and tested by the utility at any reasonable time. A meter will be tested by the utility upon request of the customer, but not more frequently than once in 12 months. A report of the results of such a test will be made to the customer and a complete record of the test will be kept on file in the office of the utility. The customer may be present or have a representative present when the meter is tested. If a test requested by the customer establishes that the meter is over registering more than 2%, no charge will be made for the test; otherwise, the utility shall charge the customer for making the test, in accordance with the following schedule:

For each water meter

5/8 inches -----	\$4.00
3/4 inches -----	4.00
1 inch -----	5.00
1-1½ inches -----	10.00
2 inches and over -----	actual cost '67 Code, §31.75)

§ 51.76 TESTING CRITERIA.

For the determination of meter accuracy, the utility shall use the appropriate test flows specified by the American Water Works Association for the various type of meters. These test flows for displacement type cold water meters are on file in the office of the utility. ('67 Code, § 31.76)

§ 51.77 REMOTE REGISTERS (READ-O-MATIC) FOR WATER METERS.

All new buildings shall be equipped with an outside meter device commonly known as a read-o-matic. A charge for the device shall be in addition to and payable at the same time as the service connection charge. Where there is a disagreement between the read-o-matic and inside register, the inside register reading will be used. ('67 Code, § 31.77)

§ 51.78 REPLACEMENT OF METER.

Replacement of stopped, leaking and/or defective meters will be made with a read-o-matic meter at the customer's expense. ('67 Code, § 31.78)

§ 51.79 REMOVAL OF METER.

The water department shall have the right to take out and remove any water meter for the purpose of inspecting, repairing, or testing the same; and in such cases suitable provisions shall be made by the water department for the necessary supply during the removal of the meter. ('67 Code, § 31.79)

FIRE PROTECTION

§ 51.80 GENERAL RULES AND SPECIFICATIONS.

Before any modifications are made to any private fire protection system, or before service is furnished to any new fire protection system connected to or proposed to be connected to and supplied with water from the utility's distribution mains, final plans shall be filed with and approved by the water superintendent of the utility. The following shall be shown on the plans:

- (A) The number of sprinkler heads to be served.
- (B) The sizes and locations of the system's piping.
- (C) The sizes and locations of all connections to the utility's distribution mains.
- (D) The sizes, locations, and types of all valves.
- (E) The sizes and locations of all hose connections, reels, or cabinets.
- (F) The sizes and locations of storage tanks connected to the system.
- (G) The outlet sizes and locations of all fire hydrants.('67 Code, § 31.80)

§ 51.81 INSPECTION ACCESS, UNDERWRITER APPROVAL.

All fire protection lines within buildings shall be installed in such manner that all pipes will be easily accessible for inspection at any time. Underground pipes outside of buildings must be placed and maintained at a minimum depth of 4-1/2 feet. No connections with a fire protection system will be permitted to supply water service for commercial or industrial use, unless the connection has been approved by the customer's fire underwriter and unless the commercial or industrial use is metered. ('67 Code, § 31.81)

§ 51.82 ALARM AND CHECK VALVE.

A private fire protection system without a tank shall be equipped with an alarm valve and a check valve. A system with a tank shall have one alarm valve and 2 check valves. ('67 Code, § 31.82)

DISCONTINUANCE OF SERVICE

§ 51.100 NOTICE.

Whenever a customer desires to have service discontinued, he shall give sufficient advance notice to enable the utility to obtain the final meter reading. ('67 Code, § 31.100)

§ 51.101 ABSENCE OF CUSTOMER.

There will be no abatement of charges in whole or in part by reason of the extended absence of the customer or for any other cause unless the utility has been notified to turn off the water. ('67 Code, § 31.101)

§ 51.102 TEMPORARY DISCONTINUANCE.

When water service is temporarily discontinued at the request of a customer, a minimum charge of \$4 to cover the expense of turning the water off and on may be made at the time the water is turned on. ('67 Code, § 31.102)

§ 51.103 CONTRACT.

Discontinuance of service shall not apply to any case where a customer has entered into a contract with the utility to take service from the utility for a definite period of time specified or provided for in such contract. ('67 Code, § 31.103)

§ 51.104 REASONS FOR DISCONTINUANCE.

The utility may discontinue the service of any customer for any of the following reasons:

- (A) For repairs.
- (B) For want of supply.
- (C) For any use of water unauthorized by the utility.
- (D) For unapproved cross connections of a customer's water pipes to any other source of water supply or for permitting any condition to exist about the premises that causes or might cause pollution of the public water supply.
- (E) Upon order by any authority having jurisdiction of such matters.
- (F) For any leak in the service pipe or appurtenances between the property line and the meter or in any private fire protection system or other unmetered facilities.
- (G) For any tampering or knowingly permitting any tampering with any service pipe, service stop, meter or meter seal.
- (H) For vacancy of premises.
- (I) For failure to pay, in accordance with these rules, any water bills or other charges in connection with water utility service installation or facilities.
- (J) For failure to provide free and nonhazardous access to the premises and meter so that representatives of the utility may take meter readings, make all necessary inspections, and maintain, replace, or remove the meter.
- (K) For failure to maintain approved meter settings, including pits and vaults.
- (L) For installing a new service pipe and appurtenances or altering or removing existing service pipe and appurtenances, including the meter, without a permit from the utility.

(M) For violation of any of the utility rules and regulations. ('67 Code, §31.104)

§ 51.105 WRITTEN NOTICE OF DISCONTINUANCE.

In each case, except those arising under §51.104 (A), (B), (C), (D), or (G), the utility shall give written notice of at least 3 days, either mailed to such customer at his address as shown upon the utility's records, or personally delivered to him or a person on the premises, advising the customer of the reason for the proposed discontinuance of service and stating that service will be discontinued if the reason continues uncorrected. In cases provided for in §51.104 (A), (B), (C), (D), or (G), the utility may discontinue service without notice. ('67 Code, §31.105)

§ 51.106 REMEDIES.

The remedies provided to the utility in these rules and regulations shall not be exclusive and shall be in addition to any other remedies which the utility has at law or in equity. ('67 Code, §31.106)

MISCELLANEOUS REGULATIONS, ETC.

§ 51.150 INTERRUPTION OF SERVICE, ETC.

The utility shall not be responsible in damages for any failure to supply water service or for interruption of the supply of water, for defective piping on the customer's premises, or for damages resulting to a customer or to third persons from the use of water or the presence of the utility's devices on the customer's premises, unless due to fault, neglect, or culpability on the part of the utility. Neither party shall be liable to the other for any failure or delay in case such failure or delays caused by strikes, the acts of nature, unavoidable accidents, or contingencies beyond its control and is not due to fault, neglect, or culpability on its part. ('67 Code, §31.150)

§ 51.151 USE OF FIRE HYDRANT.

It shall be unlawful for any person or persons, excepting members of the fire, street and water department of the city, to open and cause water to be removed from a fire hydrant without the consent of the water superintendent. It shall be the duty of the fire chief and the street commissioner to immediately report the use of all fire hydrants from November 1 to April 1, and the same will be inspected by the water department. ('67 Code, §31.151)

§ 51.152 HYDRANT CONNECTION CHARGE.

Swimming pools should, whenever possible, be filled with customers' regular service. When such pools are filled from fire hydrants, a \$10 charge shall be made in addition to the charge for metered or estimated water used and labor costs. ('67 Code, §31.152)

§ 51.153 WATER MAIN EXTENSIONS.

The city water department shall determine the type of material to be used in the construction of all water main extension. Water mains will be of cast iron material, ductile iron, or P.V.C. water pipe. P.V.C. must be U.L. approved for both portable water and fire protection. It shall be class S.D.R. 14 or S.D.R. 18 with cast iron O.D. or equal. All fire hydrants shall be the same make and shall meet the same specifications as those installed by the city water department. No water main extensions shall have any dead end, unless written approval therefor shall have been obtained from the city water department.

§ 51.999 PENALTY.

Any person, firm, or corporation who shall violate any provision of this chapter shall, upon conviction, be fined in any sum not less than \$1 nor more than \$250 for each offense.