

ORDINANCE NO. 1022

AN ORDINANCE ESTABLISHING THE PROCEDURES AND FEES FOR WATER SERVICE.

Be it Ordained by the Governing Body of the City of Manchester, Kansas, that:

Section 1. New Ordinance. The following shall be incorporated as new Chapter 15, Article 2 of the Code of the City of Manchester, Kansas, and shall be worded as:

ARTICLE 2. WATER

15-201. Superintendent of water and sewage.

The general management, care, control and supervision of the city water system shall be in the mayor, or the mayor may hire or contract a person or firm for such purpose. The mayor shall seek consent of the governing body to establish the rate of pay or contract amount for anyone hired or contracted for such purpose.

15-202. Regulations.

The furnishing of water to customers by the city through its waterworks system shall be governed by the regulations set out in this article.

15-203. Service not guaranteed.

The city does not guarantee the delivery of water through any of its mains and connecting services at any time except only when its mains, pumping machinery, power service connection are in good working order, and the supply of water is sufficient for the usual demand of its consumers.

15-204. Service connections required.

(a) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the city abutting on any street, alley, or right-of-way in which there is now located or may in the future be located near public water mains, is hereby required at his or her own expense to make connection to such public water main.

(b) Before any connection is made to the city's water system an application must be made in writing to the city clerk by the owner of the premises, or his or her authorized representative, for a permit to make such connection.

15-205. Application for service.

(a) Any person, firm or corporation desiring a connection with the municipal water system shall apply in writing to the city clerk, on a form furnished by the city for that purpose, for a permit to make the connection.

(b) The application shall:

- (1) Contain an exact description including street address of the property to be served;
- (2) State the size of tap required;
- (3) State the size and kind of service pipe to be used;
- (4) State the full name of the owner of the premises to be served;
- (5) State the purpose for which the water is to be used;
- (6) State any other pertinent information required by the city clerk;
- (7) Be signed by the owner or occupant of the premises to be served, or his or her authorized agent.

(c) Each application for a connection permit shall be accompanied by payment of fees and/or costs specified in section 15-207.

15-206. City to make connections.

All taps shall be given, street excavations made, corporation cocks inserted, pipes installed from main to curb, and the curb cock installed in a meter box to which the service pipe is to be connected by city employees or city contractors only.

15-207. Connection fees.

The fees for connection to the city waterworks system shall be as follows:

- (a) For connecting water main with three-fourths inch tap, three-fourths inch service line and installing three-fourths inch meter - \$975.00;
- (b) For connecting water main with larger than a three-fourths inch tap, service line or meter - \$975.00.
- (c) Extraterritorial connections outside the city limits to the city waterworks system shall be billed to the customer at cost plus 10% regardless of service size.
- (d) Commercial connections to the city waterworks system shall be billed to the customer at cost plus 10% regardless of service size.

In addition to the fees in (a), (b), (c) and (d) above, the city shall charge its cost, including labor, for excavation and repair of a street when installing a connection to the water main.

15-208. Curb cocks.

There shall be a curb cock in every service line attached to the city main, the same to be placed within the meter box. Curb cocks shall be supplied with strong and suitable "T" handles.

15-209. Check valves.

Check valves are required on all connections to steam boilers or on any other connection deemed necessary by the city. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of 40 pounds per square inch.

15-210. Unauthorized service.

It shall be unlawful for any person, firm, or corporation, other than duly authorized city officials or employees to turn water on or off at the water meter or curb cock shut off, with a key or in any other manner, without first obtaining written permission from the city.

15-211. Meters.

(a) All water furnished to customers shall be metered.

(b) Meters shall be located between the sidewalk or property line and curbing when the main is in the street, and on private property within three feet of the alley line when the main is in the alley.

(c) The city's responsibility stops at the meter. Any work necessary past the meter shall be completed by a licensed plumber.

15-212. Same; testing.

Meters shall be tested before being set and at any other time thereafter when they appear to be measuring incorrectly. If a test is requested by the customer and the meter is found to be accurate within two percent, the meter will be deemed correct and a charge of \$55.00 will be made to the customer.

15-213. Tampering with meter.

It shall be unlawful for any person to break the seal of any meter, to alter the register or mechanism of any meter, or to make any outlet or connection in any manner so that water supplied by the city may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee of the water department to turn any curb cock on or off.

15-214. Leaks prohibited; penalty.

No allowances shall be made for water used or lost through leaks, carelessness, neglect or otherwise after the same has passed through the meter. However, every customer shall have the right to appeal to the city from their water bill or meter reading, which he or she may consider excessive.

15-215. Reconnection charge.

A fee of \$50.00 shall be charged to reconnect a previously disconnected water service.

15-216. Utility deposit.

At the time of making application for water service, the property owner or customer shall make a deposit in the amount and manner specified in section 15-104 to secure payment of accrued bills or bills due on discontinuance of service.

15-217. Interrupt service.

The city reserves the right to interrupt water service for the purpose of making repairs or extensions to water lines or equipment.

15-218. Prohibited acts.

It shall be a violation of this article for any unauthorized person to:

- (a) Perform any work upon the pipes or appurtenances of the city's waterworks system beyond a private property line unless such person is employed by the city;
- (b) Make any connections with any extension of the supply pipes of any consumer without written permission to do so having been first obtained from the governing body;
- (c) Remove, handle or otherwise molest or disturb any meter, meter lid, cutoff, or any other appurtenances to the water system of the city.

15-219. Wasting water.

Water users shall prevent unnecessary waste of water and shall keep sprinklers, hydrants, faucets and all apparatus, including the service line leading from the property to the meter in good condition at their expense.

15-220. Right of access.

Authorized employees of the city may enter upon any premises at reasonable hours for the purpose of reading the meter or servicing or inspecting meters or water lines.

15-221. Rates.

The following rates are hereby established for water furnished by the City to premises within the city limits and those approved by the council outside the city limits:

- (a) Minimum, up to 2,000 gallons: \$60.99, which is the total of the following fees:

- 1. Water: \$33.00
- 2. Sewer: \$22.00
- 3. Service Fee: \$0.99
- 4. Water Tower Fee: \$5.00

- (b) All in excess of 2,000 gallons: \$1.00 per every 100 gallons of water

- (c) Bulk Water shall be sold at the rate of:

- (1) \$10.00 per 1,000 gallons
- (2) A \$25.00 connection fee shall be charged on each purchase.

(d) The customer is responsible for any damages to portable meter or hydrants and shall reimburse the city for repair or replacement of equipment or facilities which are damaged.

15-222. Extraterritorial rates.

The monthly charge for each user of the municipal system which is not located within the city limits of the City of Manchester, Kansas shall be an amount equal to twice the monthly charge incurred for such use by the users of the municipal water system located within the City of Manchester.

15-223. Payment of bills.

All water bills for the previous month's water service shall be paid on or before the 10th day of the month following the service. For any billing not paid when due a late charge of \$20.00 will be added to the bill.

15-224. Delinquent accounts.

Water service shall be terminated for nonpayment of service fees or charges as provided in sections 15-103.

15-225. Use during fire.

No person owning or occupying premises connected to the municipal water system shall use or allow to be used during a fire any water from the water system except for the purpose of extinguishing the fire. Upon the sounding of a fire alarm it shall be the duty of every such person to see that all water services are tightly closed and that no water is used except in extraordinary cases of emergency during the fire.

15-226. Cross-connections prohibited.

No person shall establish or permit to be established or maintain or permit to be maintained, any cross connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the city may enter the supply and distributing system of the city unless specifically approved by the Kansas Department of Health and Environment and the governing body.

15-227. Protective backflow devices required.

Approved devices to protect against backflow or back siphonage shall be installed at all fixtures and equipment where backflow and/or back siphonage may occur and where there is a hazard to the potable water supply in that polluted water or other contaminating materials may enter into the public water supply. Any situation in which a heavy withdrawal of water, such as a sudden break in the main or water being used from a fire hydrant, may cause a negative pressure to develop which could lead to back siphonage of polluted water into the system shall be improper and must be protected by approved backflow preventive valves and systems as determined by the superintendent.

15-228. Inspection.

The city official or other designee of the governing body shall have the right of entry into any building or premises in the city as frequently as necessary in his or her judgment in order to ensure that plumbing has been installed in accordance with the laws of the city so as to prevent the possibility of pollution of the water supply of the city. All work done by the land owner shall be done by a licensed plumber and inspected by city utility superintendent prior to completion.

15-229. Protection from contaminants.

Pursuant to the city's constitutional home rule authority and K.S.A. 65-163a, the city by its utility superintendent may refuse to deliver water through pipes and mains to any premises where a condition exists which might lead to the contamination of the public water supply system and it may continue to refuse the delivery of water to the premises until that condition is remedied. In addition, the city utility superintendent may terminate water service to any property where the cross connections or back siphonage condition creates, in the judgment of the superintendent, an emergency danger of contamination to the public water supply.

15-230. Connection required.

The owner of a house or building used for human occupancy situated within the city is hereby required at the owner's expense to connect such premises to the municipal water system within ninety (90) days after official notice to do so from the city.

15-231. No free service.

No municipal water utility service shall be furnished or rendered free of charge.

Section 2. Any prior ordinance found to be in conflict with this ordinance shall be void, insofar as it is in conflict.

Section 3. This ordinance shall become effective upon passage by the governing body and publication as provided by statute.

Passed and Approved this 8th day of January, 2024.

Maggie Slick, Mayor
Maggie Slick, Mayor

ATTEST:

Ashley Tatro
Ashley Tatro, City Clerk