

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE OPERATION OF THE WATER SUPPLY SYSTEM TO BE CONSTRUCTED AND OWNED BY THE VILLAGE OF ST. ELIZABETH, MISSOURI.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ST. ELIZABETH, MISSOURI, AS FOLLOWS:

Section 1. The following Rules and Regulations are hereby adopted to govern the water services furnished by the municipality in a uniform manner for the benefit of the municipality and its water users. They are subject to change from time to time. All such changes must be approved by the State Director of the Farmers Home Administration, United States Department of Agriculture, or his successor, so long as the municipality has unpaid obligations which are held by or insured by the United States of America. If any portion of these Rules shall be declared invalid by competent authority, such voidance shall not affect the validity of the remaining portions.

Section 2. Definitions: The following expressions when used herein will have the meaning stated below:

Municipality: The Village of St. Elizabeth, Missouri.

Applicant: Any individual, firm, partnership, corporation or other agency owning land within the municipality applying for a water user's agreement.

Board: The Board of Trustees of the municipality.

Water User: Any individual, firm, partnership, corporation or other agency receiving water and water services, or to whom water services are made available from the municipal facilities pursuant to a written water user's agreement.

Point of Delivery: The point of delivery shall be at the meter, unless otherwise specified in the water user's agreement.

Service: The term when used in connection with the supplying of water shall mean the availability for use by the water user of water adequate to meet the water user's requirement. Service shall be considered as available when the municipality maintains the water supply at normal pressure at the point of delivery, in readiness for the water

user's use, regardless of whether or not the water user makes use of it.

Water User's Agreement: The written agreement or contract between the water user and the municipality, pursuant to which water service is supplied or made available.

State Director: The State Director of the Farmers Home Administration for Missouri, United States Department of Agriculture, or his successor.

Water Service: A water service shall consist of facilities for supplying water to one residence or business establishment located on land within the municipality or outside the municipality if user furnishes connection to system at municipality boundary or at nearest available connecting point within the municipal limits.

Section 3. Rate Schedule: Rate schedules for water and water service are fixed by the Board. The rate schedule is subject to change by action of the Board with the approval of the State Director. If a provision of the rules and regulations conflicts with a provision of the rate schedule, the provision of the rate schedule shall prevail. If the total amount of revenue and income derived from the collection of the water rates and charges is insufficient to meet the payment of the cost of operation, maintenance, depreciation, necessary extensions and enlargements, and payment of the principal and interest on any general and revenue bonds, then outstanding, with their attendant obligations pursuant to the terms of the bonds and authorizing resolutions, the Board will increase the water rates for the first month thereafter to an amount sufficient to meet these costs and obligations.

Section 4. Applications: Applicants for water user's agreements shall make application to the Clerk of the municipality.

Section 5. Readiness to Accept Service: Before installing a service extension and providing water, the Board may require the applicant to install pipe in his home and be in readiness to accept service.

Section 6. Service is for sole Use of the Water User: A standard water service connection is for the sole use of the water user, and does not permit the extension of pipes to transfer water from one property to any other consumer. If an emergency or specific situation should make such an arrangement advisable, it shall be done only



on specific written permission of the Board for the duration of the emergency.

Section 7. Agreements with Governmental and Public Bodies: The Board may make specific water service contracts with the United States of America and its agencies, the State of Missouri, and its agencies, School Districts and municipal corporations and private institutional users differing from stipulations set out in the rate schedule and rules. Such contracts must receive written approval by the State Director before being placed in effect.

Section 8. Right of Access: Representatives of the municipality shall have the right at all reasonable hours to enter upon the water user's premises to read and test meters, inspect piping, and to perform other duties for the maintenance and operation of service, or to remove its meters and equipment upon discontinuance of service by the water user.

Section 9. Continuity of Service: The municipality will make all reasonable efforts to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purposes of making repairs, connections, extensions, or for other necessary work. Efforts will be made to notify each water user who may be affected by such interruptions, but the municipality will not accept responsibility for losses which may occur due to such necessary interruptions.

The municipality does not accept responsibility for losses which may occur due to interruptions of service for any cause.

Section 10. Meters: Meters will be furnished, installed, owned, inspected, tested, and kept in proper operating condition by the municipality without cost to the water user, except that each water user shall pay a connection fee set by the board which shall not be refundable. A complete record of tests and histories of meters will be kept. Meter tests will be made according to methods of the American Waterworks Association by the municipality as often as deemed necessary by the Board.

Section 11. Meter Accuracy: Service meter errors which do not exceed two per cent (2%) fast or slow shall be considered as being within the allowable limits of accuracy for billing purposes. The percentage of error will be considered as that arrived at by taking the average of the error at full load and that at ten per cent (10%) load, unless a water user's rate of usage is known to be practically constant in which case the error at such constant use will be used.

Section 12. Meter Location: Meters shall be set in an accessible

place on the outside of buildings except where otherwise directed by the municipality. All meters shall be set horizontally and never connected into a vertical pipe. Meters outside of buildings shall be placed in meter boxes, furnished and installed by the municipality.

Section 13. Bills: Bills will be rendered for service by the 5th day of the month following that in which the service was rendered as set forth in the rate schedule. Service Bills not paid by the 16th of the month shall be subject to a 5% late charge. Failure of the municipality to submit a service bill shall not excuse the water user from his obligation to pay for the water used when the bill is submitted. Failure to pay a bill by the first day of the month following the month in which the bill is rendered, shall result in the disconnection of the service. All water users shall read their own meters and the result thereof shall be delivered to the Clerk of the municipality together with payment as provided in these Rules. The Board shall provide for the mailing of cards properly prepared for the computing of such bill by the water user.

Section 14. Reconnection Charges: The reconnection charge for restoration of service, if reconnection is authorized and approved under the provisions of the Ordinances of the municipality, after each suspension of service because of delinquent payment or for other infraction of these Rules, shall be the unpaid amount plus interest at the rate of 1/2 of one per cent per month and a fee set by the Board.

Section 15. Requested Meter Tests: Meter tests requested by water users will be performed without cost to the water user if the meter is found to be in excess of two per cent (2%) fast. Otherwise the water user for whom the requested test was made will be charged the cost of making the test.

Section 16. Water User's Responsibility: The water user shall be responsible for any damage to the meter installed for his service, from any cause other than normal wear and tear.

Section 17. Change of Occupancy: It shall be the water user's responsibility to anticipate any change of occupancy and to withdraw the balance of the meter deposit less any amount due the municipality. Until such withdrawal is made the original water user shall be responsible for payment of services.

Section 18. Main Extensions and Future Connections: In extending water mains to furnish service to an applicant or in making a connection to an existing main for an applicant after the completion of the original waterworks of the municipality, the charge for such connec-



tion shall be a connection fee set by the board which is subject to adjustment to take into consideration the average cost of the entire system to each water user at the discretion of the board. The municipality shall not be obligated to extend its mains to render service, however, except at the discretion of the Board, and unless sufficient funds are available in the renewal and extension fund of the waterworks to finance the entire cost of such extension.

Section 19. Services: The municipality will install all water service pipes and accessories from its mains to the meters on property abutting the right-of-way along which the main is installed, and the water user shall pay to the municipality the actual cost of installing such pipes. The service pipe shall not be less than 3/4 inch in size. The municipality will also install the municipality cock, meter and meter setting. The meter will be set in front of the premises to be served or at the closest point on the water user's premises as designated by the municipality.

Section 20. Meter Deposit: All water users of said municipality and applicants therefor shall make a service deposit before connecting any water service lines to the water lines and meters of said municipality. This meter deposit shall be established by ordinance and is in addition to the connection fee. The Board may establish a standard meter deposit and then adjust it for special cases such as business establishment users requiring a large volume of water, special meters, etc.

Section 21. Rate for Tank Sales: The Board has the exclusive power to authorize tank sales or sales in bulk of water from such supply heads and such rates as it may designate.

Section 22. Applicants Having Excessive Requirements: In the event any applicant's requirements are found to exceed the municipality's ability to supply it from existing plant without adversely affecting service to other water users to an unreasonable extent, the municipality will not be obligated to render such service, unless and until suitable self-liquidating financing is arranged to cover necessary investment in additional plant.

Section 23. Connection with Private Water Systems: There shall be no physical connection between any private water system and the water system of the municipality. Representatives of the municipality shall have the right at all reasonable hours to enter upon water user's premises for the purpose of inspection and enforcement of this provision. Violation of this provision shall constitute cause for disconnection of a water user's service.

Section 24. In the event the total water supply shall be insufficient to meet all of the needs of the water users, or in the event there is a shortage of water, the municipality may pro-rate the water available

among the various users on such basis as is deemed equitable by the Board, and may also prescribe a schedule of hours, covering the use of water for purposes specified in such ordinance, and require adherence thereto, or prohibit the use of water for certain specified purposes if at any time the total water supply shall be insufficient to meet all of the needs of all of the water users for domestic, livestock, garden and other purposes, and the municipality must first satisfy all the needs of the water users for domestic purposes before supplying any water for livestock purposes and must satisfy the needs of all the water users for domestic and livestock purposes before supplying water for other purposes.

PASSED AND APPROVED this 29th day of March, 1967.

  
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Chairman of the Board of Trustees

ATTEST:

  
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Village Clerk