

CHAPTER 12-3 WATER SERVICES

12-3-1 DUTIES OF THE SUPERINTENDENT

Under the supervision of the mayor and city council or their designee, the water department superintendent shall have the charge and management of the water department. He shall report to the mayor or his designee whenever required, and to the city council at each regular meeting thereof, the condition of his department, and shall make such suggestions for the improvement thereof as he may deem advisable. He shall perform such other duties as the mayor and city council may require.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-2 PERMIT REQUIRED

Any person desiring water service from the city shall, make application with the City on forms provided by the City for authorization to connect to the City water main, or to receive water services at any premises. The aforesaid application shall be accompanied by a tap fee in such amount as determined by the City. Upon obtaining the proper authorization, the payment of the tap fee, and compliance with the applicable City ordinances, permission shall be granted for the connection to be made. No tap shall be made until proper authorization is obtained.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-3 EXPENSE OF TAPS

The expense of a tap to a water main or renewal of service pipes shall be paid by the property owner, shall be charged for from the point of renewal, and shall be in an amount set by resolution by the city council. All fittings, saddles, water boxes, etc, must meet the approval of the water superintendent.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-4 AUTHORIZATION REQUIRED TO TAP MAINS

No person shall be permitted to tap the distribution pipes or insert curb stops therein unless authorized by the water superintendent. No plumber or any other person shall make any attachment to any existing pipe or water fixture on premises from which water has been off unless the city has issued a permit for the same. Nor shall any plumber or other person make any alteration in any pipe or water fixture attached to the water works distributing pipes to conduct water into adjoining premises or into stables, baths, water closets, wash basins, cisterns, fountains, or for any other purpose whatever without authorization from the City. The plumber shall close the curb stop at the sidewalk at the completion of any job of plumbing work. Taps will be made under the supervision of the water superintendent.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-5 SERVICE OUTSIDE CITY LIMITS

Service may be extended to persons outside city limits by permission of the city council. Tap fees will be charged. Taps will be made under the supervision of the water superintendent. Cost of said service will be set by resolution by the city council.

Authority: SDCL 9-47-1; See also Chs. 9-47-26, 9-47 generally

12-3-6 LEAD-FREE PIPES

No person shall be permitted to connect to the city's water main, unless the consumer provides at his own expense, proper materials authorized by the water superintendent from the city's water main to the consumer's curb stop. If the consumer's existing water line connection needs to be repaired or replaced, and excavation reveals a lead pipe, the consumer must replace all lead pipes with a lead free pipe meeting the approval of the water superintendent. All new or existing dwellings, business structures or improvements shall meet the appropriate federal and state statutory requirements for lead-free pipes, fittings and joints in its water distribution system. Failure to meet the federal and state statutory requirements will be grounds for the City to refuse to provide water services to said consumer.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-7 INSPECTIONS

The water superintendent or such person as he may direct shall be authorized to enter and have free access at all reasonable hours to premises to ascertain the location and condition of all meters, hydrants, pipes, or other fixtures attached to the water system; and in case he finds water is wasted on account of negligence or for want of repairs and if such waste is not immediately remedied, the water leading to such premises shall be turned off. It shall also be the duty of said officer in case he discovers any defect in a private pipe to give immediate notice to the owner, and if necessary repairs are not made within forty-eight (48) hours thereafter, the water shall be shut off and shall not be turned on again until the repairs have been made and a reconnection fee has been paid to the finance officer.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-8 METER REQUIRED

All consumers supplied with water shall have such service metered by a meter of a type approved by the city council provided at the cost of the city.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-9 METER SEALED

Upon the installation of meters, they shall be sealed both at register box and couplings, with a form of seal designated by the water superintendent, and these seals must not be broken except upon authority of the water superintendent. Any person violating this provision shall upon conviction thereof be subject to the penalties provided in this ordinance.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-10 INSPECTION OF METERS

It shall be illegal to tamper with a water meter or to bypass a meter. If an inspection reveals any tampering or bypass of a meter, the violator may be prosecuted for theft and if found guilty shall be subject to the penalties provided in this ordinance.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-11 REPAIR OF METERS

The city will make all necessary repairs to meters and all repairs to the meters shall be at the City's expense unless it is found that damage has been done either through the negligence or intentional acts on the part of the owner or consumer. If the negligence or intentional acts by the

owner or consumer are found to be the cause of damage to the meter the cost of repair shall be charged against the account of such owner or consumer and become payable as water fees.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-12 REPLACING OF METERS

The water superintendent shall determine if water meters which are no longer working properly need to be replaced. The city shall provide a new replacement meter at the city's expense. Any additional repairs needed on the property owner's pipes or property to install such meter will be at the expense of the property owner. Any new or replacement encasement for underground meters must be of metal, concrete, or poly-vinylchloride (PVC) with an outside entrance for guaranteed accessibility to city employees. All encasements must be kept in good repair to prevent damage to the water meter and provide for safe maintenance inspections by city employees.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-13 PROPERTY OF CITY

All service pipe connections and boxes from the mains to the curb box, and all meters are the property of the city.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-14 METER READING

All meters shall be read by a person designated by the city council and will be read once every month.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-15 FAILURE OF METERS

If a meter fails to register the amount of water used or for any reason fails to properly tally, the water committee of the city council or the city finance officer shall estimate the gallons of water used and shall bill the consumer accordingly. The estimate of water used shall be determined by the examination of prior water usage by the consumer.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-16 WATER – RESTRICTIONS

The city may limit or prohibit temporarily the use of water from the city distribution system for any purpose, except domestic purposes within the dwellings of consumers or in business establishments, during emergencies, or prolonged drought or shortage of water supply for any reason in order to maintain maximum fire protection efficiency. The mayor shall authorize the imposition of these restrictions. The city will attempt to notify affected utility customers if time permits of any such limitation. Any person violating the terms of such prohibition or restriction after such notice shall upon conviction thereof be subject to the penalties provided in this ordinance. Water service to the premises involved may be discontinued entirely during emergencies.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-17 ILLEGAL USE OF WATER

It shall be illegal for any person, other than the water superintendent or employee of the water department or fire department personnel, to draw water from any fire hydrant, or from any part of the water department except at public drinking fountains without permission of the water superintendent. Any person found to be in violation of this subsection, shall be subject to the penalties provided in this ordinance.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-18 ILLEGAL USE OF WATER EQUIPMENT

It shall be illegal for any person to climb the water tower or ground storage tank, or on the ladders thereon, without the permission of the water superintendent. Any person found to be in violation of this subsection, shall be subject to the penalties provided in this ordinance.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-19 CITY NOT GUARANTOR OF WATER SYSTEM

All consumers of the water system purchase water from the city at their own risk, and the city will not, nor will the mayor, city council, water superintendent or city employee, in any case, be liable or responsible for damages growing out of the overflow or stoppage of water, or any insufficient supply of the same.

Authority: SDCL 9-47-1; See also Ch 9-47 generally

12-3-20 PENALTIES

A violation of any of the provisions of this ordinance, the ordinance regulating water, or the ordinance regulating sewer, shall be punishable by 30 days imprisonment in the county jail or a \$500.00 fine, or both such fine and imprisonment. Further, in the event a violation of the ordinances is ongoing in nature, each day that the violation is in effect shall constitute a separate and distinct offense. Nothing hereby shall prohibit the City from availing itself to the remedies available to it under the criminal laws of the State of South Dakota. The City however shall be required to elect its remedies in this regard.

Any person violating any of the provisions of this chapter shall, in addition to the ordinary penalties prescribed for violation of this ordinance, be subject to having water service turned off to the premises of such consumer, and service shall not be restored until there has been full compliance of this chapter and the payment of such fees for restoring service as may be provided by this chapter.

Authority: SDCL 9-47-1; See also Ch 9-47 generally