

Chapter 13.04

WATER SERVICE SYSTEM

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(Amended 2007)
(Amended March, 2014)
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Part 1
General Responsibility

13.04.010 Application for water.

A written application for water must be made by the owner or agent of the property to the finance officer stating where such water service is requested. Each applicant shall also sign a contract for water services, to be filed in city hall before a permit may be issued by the city authorizing connections to be made. (Ord. 393 § 1 (part), Rule 1, 2002)

13.04.020 Owner's responsibility.

All service pipes from the water mains of the City to the premises shall be installed at the expense of the owner or person in possession of the premises served. All service pipes from the premises to the property line shall be maintained and kept in repair at the expense of the owner or person in possession of the premises served. If such owner or person shall fail to cause to have properly repaired any service pipe within thirty (30) days upon receipt of the due notice from the water department, the water shall immediately be shut off from said premises and shall remain shut off until repairs shall have been made; or the water department may repair such service pipe and charge all repairs to the owner or person in possession of the premises.

The City shall not be responsible for pipes and fixtures. All owners must at their own cost and expense keep their service pipes from the property line to their premises, and all of their apparatus, in good working order and properly protected from frost and other danger. No claims shall be made against the City, its Mayor or any employees of the City, by reason of the breaking of any service pipe, water meters, or apparatus, or from any damage that may result from shutting off water for repairing, or for any other purpose or for any variations in pressure. No deduction for water charges will be made from the regular rates because of leaking pipes or fixtures. (Ord. 393 § 1 (part), Rule 2, 2002) (Amended 8/2005)(Amended 2007) (Amended 2014)

13.04.030 Right of city to prohibit certain uses.

The city reserves the right to prohibit the use of water for the use of water sprinklers, elevators and large consumers of water when in the judgment of the utility superintendent it shall be necessary.

A. The owner or occupant of any premises where a meter is installed, unless otherwise provided herein, will be held responsible for its care and protection from freezing and from injury or interference from any person or persons. In case of any injury to the meter, or in case of its stoppage or imperfect working, he or she shall give immediate notice to the finance officer. If the meter has been broken or damaged as a result of the negligence of the customer, by freezing or by being improperly set, the cost of repairs shall be charged to the customer.

B. Manufactured Housing Parks.

1. In manufactured housing parks the city shall be responsible for maintenance of the water meter only unless the need for maintenance or the damage has been caused by the owner of the property's negligence or failure to protect the water meter or the tenant's negligence or failure to protect the water meter in which case the owner or tenant shall be responsible for any damage.

2. Owner or tenant, by application for receipt of water or by receiving water from the city, agrees not to grant any other utility easements or allow the installation of other utilities within one point five (1.5) feet of the center of the water pit as constructed and further agrees to not erect or construct on either a temporary or permanent basis any building or other structure within one point five (1.5) feet of the water meter pit as constructed.

3. Any damage caused to existing structures, buildings or any other personal property located on, over or within one foot of a water meter pit by the installation, repair or replacement of a water meter pit is the sole responsibility of the owner and tenant.

4. Water service may be allowed in limited areas where water pits are not installed by the city and where the city and the owner of the property have entered into a written agreement in form and manner acceptable to the city whereby the city has agreed to allow the owner to hook up water service to structures with the water meter and water pipes protected by a heat tape system installed and maintained by the owner of the property. In each written agreement the owner of the property shall agree to be solely responsible for the maintenance and operation of the water lines and water meters. (Ord. 393 § 1 (part), Rule 3, 2002)(Amended 2005)

13.04.040 City not responsible for

accidents.

The city will not be responsible for accidents resulting from variation in the water pressure or the ram of water from the mains, from collapse or from any cause whatever. (Ord. 393 § 1 (part), Rule 4, 2002)

13.04.050 City's right to shut off water.

The city reserves the right at any time, without notice, to shut off water in the city mains for the purpose of making repairs or extensions or for other purposes, and the city shall not be liable for any damage resulting from such temporary cessation of service. (Ord. 393 § 1 (part), Rule 5, 2002)

13.04.060 Right of entry.

The city shall be permitted to enter any property, other than residences, at any time, and residences at such reasonable times for the purpose of inspection, observation, setup and use of monitoring equipment, sampling, testing or inspecting and copying records in accordance with the provisions of this chapter, provided that:

- A. If such property is occupied he or she shall first present proper credentials to the occupant and request entry, explaining the reasons therefore; and
- B. If such property is unoccupied, he or she shall first make a reasonable effort to locate the owner of such property and request entry, explaining the reasons therefore.

If such entry is refused or cannot be obtained because the owner of such property cannot be found after due diligence, the city shall have recourse to every remedy provided by law to secure lawful entry for the above stated purposes.

Notwithstanding the foregoing, if the city has reasonable cause to believe that the use of water is dangerous, hazardous or unsafe as to require immediate inspection to safeguard the public health and safety, he or she shall have the right to immediately enter and inspect such property, and may use any reasonable means required to effect such entry and make such inspection, whether such property is occupied or unoccupied and whether or not permission to inspect has been obtained. If the property is occupied, he or she shall first present the proper credentials to the occupant and demand entry, explaining his or her reasons therefore and the purpose of his or her inspection. No person shall fail or refuse after proper demand has been made upon them, as provided in this subsection, to promptly permit the city to make any inspection provided for by this subsection. Any person violating this subsection shall be punished with a fine not exceeding two hundred dollars (\$200.00). (Ord. 393 § 1 (part), Rule 6, 2002)

13.04.070 Special connection charge.

If the property to be connected to a public water supply requires the construction of a new public water main, the owner shall pay a special connection charge to the city. The city council shall determine the amount of the charge for such service, which charge shall be two hundred fifty dollars (\$250.00) plus an equitable portion of the cost of the public water main, and the amount so determined shall, upon confirmation by the city council by resolution, be paid to the finance officer and credited to the proper fund before a permit to make such connection shall be issued. Such permit, when issued, shall be in writing and signed by the utility superintendent or his designee. If

the property to be connected to the public water supply does not require the construction of a new water main, the owner shall pay a connection charge of two hundred fifty dollars (\$250.00) to the city. (Ord. 393 § 1 (part), Rule 7, 2002)

Part 2 Installations

13.04.080 Tap fees.

No tap shall be made to the mains by the applicant until the applicant for whom such connection is to be made has signed the application mentioned in Section 13.04.010, provided any and all easements requested by the city, and a plumber's permit has been issued authorizing the plumber to lay such pipe and connection in a manner as will conform to the application, this chapter and all other ordinances of the city.

The plumber shall provide all parts, materials and appurtenances necessary for the tap. The plumber shall install the saddle and prepare the pipe for tapping in a manner approved by the water department. All materials used by the plumber shall be materials approved by the city.

At the time of making application and signing of the contract set forth in Section 13.04.010, the applicant shall pay the finance officer taking his or her receipt therefore, a sum to cover the cost of the labor of the tap upon the water main using the approved saddle. The fee for such tapping shall be as follows:

3/4 inch tap	\$100.00 each
1 inch tap	125.00 each
1 1/4 inch tap	150.00 each
1 1/2 inch tap	200.00 each
2 inch tap	300.00 each

The city will not make taps larger than the above schedule. The maximum size of tap with saddle shall be as follows:

On 4-inch pipe	3/4 inch tap
On 6-inch pipe	3/4 inch tap
On 8-inch pipe	1 inch tap
On 10-inch pipe	1 inch tap
On 12-inch pipe	2 inch tap

All taps larger than the above maximum size shall be made in a manner approved by the city as follows:

Option One: The plumber shall schedule water shut-off with the city and install a tee fitting in the water main.

Option Two: The plumber shall install a tapping tee with valve and tap the line under pressure.

The city shall direct the plumber on which option to use on a case-by-case basis.

The city shall observe the tap installation during normal working hours and an authorized member of the water department shall sign the plumber's connection permit prior to commencing the placement of backfill in the water service tap excavation. All taps to city water main shall be made with a saddle. (Ord. 393 § 1 (part), Rule 8, 2002)

13.04.090 Connecting pipes between adjoining premises.

No consumer shall be permitted to construct water pipes across lots or buildings adjoining premises, but all service pipe shall enter at the front of the building nearest the sidewalk. In unusual cases, the superintendent of utilities may permit deviations from this rule. The reason or reasons for any deviation shall be in writing and filed with the city finance officer.

Connections in manufactured housing parks and apartment buildings shall be through curb stops and meter pits at locations approved by the city or pursuant to written agreement as provided herein. All water leaving the city system and entering a private system shall pass through meters approved by the city. (Ord. 393 § 1 (part), Rule 9, 2002)

13.04.100 Separate owners.

Two or more premises with separate owners or tenants cannot be supplied from a single connection unless a contract has been entered into with the city authorizing the same. (Ord. 393 § 1 (part), Rule 10, 2002)

13.04.110 Placement of stop boxes and cut offs.

All stop boxes or cut offs for controlling the supply of water to consumer shall be placed not less than six inches or more than eleven (11) feet from property line with the top of the stop box brought even with the sidewalk. Where area walls prevent the location of the stop box and cut off at the point indicated, they shall be placed immediately within the area wall. In a case where this rule creates difficult construction problems, the superintendent may permit deviations therefrom. The reason or reasons for any deviation shall be in writing and filed with the city finance officer.

In manufactured housing parks and apartments stop boxes and cut offs shall be installed at locations approved by the city. (Ord. 393 § 1 (part), Rule 11, 2002)

13.04.120 Types of pipe.

Except as hereinafter provided, consumers will be required to use, in making connections with the mains of the water department between the main and curb stop, type K copper pipe with flanged fittings, or polyethylene (PE) 3406 with a minimum pressure rating of two hundred (200) psi, and shall be run from the main to a point six feet inside the street right-of-way line and terminate with

the specified curb cock and curb box. Galvanized pipe may not be used in laying service line from curb stop into owner's property.

In manufactured housing parks all pipes and fittings shall be installed in form and manner acceptable to the city. (Ord. 393 § 1 (part), Rule 12, 2002)

13.04.130 Stop cock specification.

All stop cocks on line of service pipe or branches underground must be stops with round-ways of the same diameter as the pipe with which they are placed. They must have a solid T-handle that will turn three hundred sixty (360) degrees and in every respect equal the samples in the meter shop of the water department. Service pipes must be laid at least six feet below the finished surface of the ground. No pipes larger than one inch shall be used unless by special permit from the water department. All rods attached to stop cocks must not be less than one-third inch square or five-eighths inch round iron, and when they are placed outside the building they must be boxed up and covered, so as to be accessible at all times in cases of leaks. (Ord. 393 § 1 (part), Rule 13, 2002)

13.04.140 Two or more meters on one service connection.

In the event that two or more meters are placed by permission of the utility superintendent upon one service connection, they shall be so placed that one of them shall measure water that has passed through another meter. Provided, however, that in cases of any commercial, retail and office building consumers where the owner thereof desires to have each tenant metered separately, the water department is authorized to enter into either of the following arrangements described in subsections A or B of this section subject to such terms, conditions and requirements as may be established by the water department under subsection C of this section.

A. The city will install one master meter billing the owner solely upon the water consumed through this meter, but permitting the owner to provide and install at his or her own expense sub-meters to measure the quantity consumed by each tenant. In this case, the owner must assume the responsibility for maintaining, reading and billing the sub-meters.

B. The city will provide and maintain both a master meter and the sub-meter. In this case, the city will also read all meters but will bill each tenant direct. The owner will then be billed direct for the difference (if any) between total consumption as recorded on the master meter and the total consumption as recorded by the sub-meters collectively.

C. The owner shall be responsible for installing at all locations directed by the water department pre-approved shut-off devices.

D. This rule shall not apply to manufactured housing parks and apartment buildings. (Ord. 393 § 1 (part), Rule 14, 2002)

13.04.150 All water to be metered.

Except as noted in Sections 13.04.160 and 13.04.170, all water consumed for any purpose whatsoever shall be metered. All meters shall be placed on the service pipe at a point not to exceed two feet from the place where such pipe enters the structure or premises. A stop valve shall be

installed between such meter and the wall and such meter shall be so placed as to be kept dry, clean, and readily accessible to the meter reader.

In manufactured housing parks all meters shall be installed in form and manner directed by the city and accessible at all times for reading by city personnel. Meters may not be locked unless a master key for the meters has been given to the city. (Ord. 393 § 1 (part), Rule 15, 2002)

13.04.160 Connections to automatic fire sprinklers.

Connections to automatic fire sprinklers may be made in such a manner that the water used therein does not pass through the water meter, provided such sprinkler systems are of the so-called "drip-pipe" type or are so equipped that any flow of water therein automatically registers an alarm of fire in the city's fire alarm headquarters.

An annual demand charge for automatic sprinkler systems shall be made as follows:

8" connection or larger	\$300.00
6" connection but less than 8"	200.00
4" connection but less than 6"	150.00

(Ord. 393 § 1 (part), Rule 16, 2002)

13.04.170 Emergency or temporary needs.

To meet emergency or temporary needs for water, the water department is authorized to arrange for unmetered supplies, making such charges therefore as determined by the water department. (Ord. 393 § 1 (part), Rule 17, 2002)

13.04.180 Maintenance and acquisition of meters by the city.

On and after the effective date of the ordinance codified in this chapter the city will furnish and maintain all residential meters necessary to serve customers, regardless of meter size required. The word "maintenance," as used in this section, shall not apply to damage to the meters resulting from the negligence of the customer or failure to protect the meter pit by the customer. The actual cost of repairs resulting from the negligence of the customer or failure to protect the meter pit by the customer will be charged back to the customer.

Commercial and industrial users shall purchase and install pre-approved meters in a location approved by the city. Commercial and industrial users shall also be solely responsible for all maintenance on their meters. (Ord. 393 § 1 (part), Rule 18, 2002)

**Part 3
Rates And Service Fees**

13.04.190 Service interruption.

When service is established to any customer, the schedule of rates for service and water consumption shall be imposed and shall continue in effect until the customer requests the water department to discontinue service. Upon receipt of a request to discontinue service, the water department will turn off the water at the curb cock. Service charges to the customer shall then be discontinued as of the beginning of the next billing period.

When service is to be resumed, the customer shall so notify the water department, who shall have the water turned on, making no charge for this special service. Service charges shall then be resumed as of the beginning of that customer's current billing period. (Ord. 393 § 1 (part), Rule 19, 2002)

13.04.200 Rates and charges--Meters not exceeding one inch.

For all water sold or furnished by the city within the city through meters not exceeding one inch in size whether residential, business, commercial, or industrial each individual metered customer shall pay the city according to the following schedule:

Gallons Per Month effective January 2014	Charge Per Month
0-3000	\$16.00
Over 3000	\$16.00 plus \$2.80 per thousand gallons in excess of 3000 gallons

Gallons Per Month effective January 2015	Charge Per Month
0-3000	\$17.00
Over 3000	\$17.00 plus \$2.90 per thousand gallons in excess of 3000 gallons

Gallons Per Month effective January 2016	Charge Per Month
0-3000	\$18.00

Gallons Per Month effective January 2016	Charge Per Month
Over 3000	\$18.00 plus \$3.00 per thousand gallons in excess of 3000 gallons

For consumers located outside the corporate limits of North Sioux City, South Dakota, through meters not exceeding one inch in size whether residential, business, commercial or industrial each individual metered customer shall pay the city according to the following schedule:

Gallons Per Month effective January 2014	Charge Per Month
0-3000	\$23.50
Over 3000	\$23.50 plus \$4.15 per thousand gallons in excess of 3000 gallons

Gallons Per Month effective January 2015	Charge Per Month
0-3000	\$24.50
Over 3000	\$24.50 plus \$4.25 per thousand gallons in excess of 3000 gallons

Gallons Per Month effective January 2016	Charge Per Month
0-3000	\$25.50
Over 3000	\$25.50 plus \$4.35 per thousand gallons in excess of 3000 gallons

(Ord. 393 § 1 (part), Rule 20, 2002) (Amended November 2013) (Amended January, 2010) (Amended April, 2010)

13.04.210 Rates and charges--Meter greater than one inch.

A. For all water sold or furnished by the city within the city through meters greater than one inch in size whether residential, business, commercial or industrial, each individual metered customer shall pay the city according to the following schedule:

Gallons Per Month 2014	Meter Size	Charge Per Month
0-3000	1 1/2"	\$20.00
0-3000	2"	28.50
0-3000	3"	42.00
0-3000	4"	70.50
0-3000	6"	145.50
0-3000	8"	185.50
0-3000	10"	210.50

Gallons Per Month 2014	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$2.80 per thousand gallons in excess of 3000 gallons

Gallons Per Month 2015	Meter Size	Charge Per Month
0-3000	1 1/2"	\$21.00
0-3000	2"	29.50
0-3000	3"	43.00
0-3000	4"	71.50
0-3000	6"	146.50
0-3000	8"	186.50
0-3000	10"	211.50

Gallons Per Month 2015	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$2.90 per thousand gallons in excess of 3000 gallons

Gallons Per Month 2016	Meter Size	Charge Per Month
0-3000	1 1/2"	\$22.00
0-3000	2"	30.50
0-3000	3"	44.00
0-3000	4"	72.50
0-3000	6"	147.50
0-3000	8"	187.50
0-3000	10"	212.50
Gallons Per Month 2016	Charge Per Month	
0-3000	Minimum according to meter size	
Over 3000	Minimum plus \$3.00 per thousand gallons in excess of 3000 gallons	

For consumers located outside the corporate limits of North Sioux City, the rates shall be as follows:

Gallons Per Month 2014	Meter Size	Charge Per Month
0-3000	1 1/2"	\$29.50
0-3000	2"	42.25
0-3000	3"	62.50
0-3000	4"	105.25
0-3000	6"	217.75
0-3000	8"	277.75
0-3000	10"	315.25

Gallons Per Month 2014	Charge Per Month	
0-3000	Minimum according to meter size	
Over 3000	Minimum plus \$4.15 per thousand gallons in excess of 3000 gallons	

Gallons Per Month 2015	Meter Size	Charge Per Month
0-3000	1 1/2"	\$30.50

Gallons Per Month 2015	Meter Size	Charge Per Month
0-3000	2"	43.25
0-3000	3"	63.50
0-3000	4"	106.25
0-3000	6"	218.75
0-3000	8"	278.75
0-3000	10"	316.25

Gallons Per Month 2015	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$4.25 per thousand gallons in excess of 3000 gallons

Gallons Per Month 2016	Meter Size	Charge Per Month
0-3000	1 1/2"	31.50
0-3000	2"	44.25
0-3000	3"	64.50
0-3000	4"	107.25
0-3000	6"	219.75
0-3000	8"	279.75
0-3000	10"	317.25

Gallons Per Month 2016	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$4.35 per thousand gallons in excess of 3000 gallons

B. The above rate schedule shall be charged to and paid by all users, however, upon completing an application at City Hall, residents who are age sixty-five (65) or older shall receive a ten percent (10%) discount from the above rates. The City shall not pay for water. Further, the City will provide

water to the following entities at no cost: Community Center, Senior Citizens Center, Dakota Valley School Practice Field, Dakota Valley School Sports Complex, NSC/DV Sports Complex and North Merrill Boulevard. (Ord. 393 § 1 (part), Rule 21, 2002) (Amended November 2013)

13.04.220 Water for building purposes.

Contractors, builders or others desiring water for building purposes, must make application to the utility superintendent therefore, who will make special arrangements for such supply as is required. (Ord. 393 § 1 (part), Rule 22, 2002)

13.04.230 Billing cycle, disconnection water fee, reconnection water fee

A. All commercial and residential water bills are due when the invoice is issued by the City. Water meter readings will be taken on approximately the 18th (eighteenth) of each month. If the bill is not paid by the 15th of each month the bill will be considered delinquent. A late charge of 10% (ten percent) of the unpaid balance will be assessed to the user account after the 15th (fifteenth) day of the month. After the 15th (fifteenth) of each month the City reserves the right to discontinue water service to the delinquent customer by shutting the water off at the curb cock, after forwarding the customer a written notice of termination. The shut off day will be the 26th (twenty sixth) of each month. If the 26th (twenty sixth) of the month falls on a weekend or holiday the shut off date will be the next working business day of the City. A twenty-five dollar (\$25.00) disconnect fee shall be charged to the individual for each instance the City discontinues water service and shall immediately be charged to the individual.

B. If a commercial or residential water service is discontinued for non-payment of the utility bill the water service will be reconnected only after the following conditions have been met:

1. The account has been paid in full and there remains no balance due.

2. The deposit for the customer has been paid to the City as listed in section 13.04.270 of the City of North Sioux City code of ordinances. The deposit will be waived if the city already has a deposit on file.

3. A Twenty Five Dollar (\$25.00) reconnect fee has been paid to the city.

4. Water service will be restored only during the normal business hours. For services to be reconnected after 4:00 p.m., or not during normal business hours or days, the customer will be charged an additional fee of Seventy-five Dollars (\$75.00) for reestablishing service. This Seventy-five Dollar (\$75.00) fee will be assessed to the next month's utility bill.

5. No person shall turn on water service to any premises from which water has been turned off as provided for in this section, without written authority from the City water and sewer department. If it is necessary to dig up the curb stop or shut off water for non-

payment of the water bill, the cost of such work may be added to the water bill in addition to all other charges set forth in this ordinance.

i If, after shut off for non-payment, a water service has any usage (water running through meter) without the consent of the city a One Hundred Dollar (\$100.00) fine will be assessed on the next month's utility bill. Any water usage shall also be billed at the regular rate to the water service.

6. Payments made to the City can be either hand delivered to City Hall or mailed to 504 River Drive, North Sioux City, South Dakota 57049.

C. Each individual account will be given two (2) exemptions per calendar year from having their water service disconnected. Each individual account holder has the responsibility of requesting an exemption before the twenty sixth (26th) of the month. The City will internally track this information on exemption requests. If an exemption request is granted the individual account holder is still responsible for paying all late fees associated with not paying their bill by the fifteenth (15th) of the month.

(Ord. 393 § 1 (part), Rule 23, 2002) (Amended July 2005)
(Amended November 2014) (Amended May 2016)

13.04.240 Meter testing.

Should any customer have reason to believe the meter installed in his or her premises is not recording water consumption accurately, he or she may make demand upon the water department that the meter be given a special test. Thereupon, the water department shall promptly cause the test to be made, preferably under the observation of the customer or his or her representative.

If the test shows that the meter is slow (i.e., recording less than ninety-seven (97) percent of the water actually passing through it) a special testing charge of twenty-five dollars (\$25.00) for three-fourths inch meters and actual costs for meters larger than three-fourths inch shall be added to the customer's next water bill. If the test shows the meter is fast (i.e., recording more than one hundred one (101) percent of the water actually passing through it) no special testing fee shall be charged, but an adjustment shall be made in the customer's current water bill. This adjustment shall apply only to any excess water charge in the same proportion as the excess recording rate bears to the excess water charge. Meters larger than three-fourths inch that are tested inaccurate shall be replaced at the customer's expense. (Ord. 393 § 1 (part), Rule 24, 2002)

13.04.250 Penalties.

Whoever shall by himself or herself or by any other person acting under his or her authority, use or take water from any part of the water department aforesaid without a license or permit, or without authority from the water department open or hitch to, dig out, curb over or remove any fire plug or hydrant, stop cock valve, valve box or other fixtures appertaining to the water department, or turn, or shut off water into or from any water department pipe wherever situated, shall be punished with a fine not exceeding Five Hundred Dollars (\$500.00). (Ord. 393 § 1 (part), Rule 25, 2002) (Amended 2007)

13.04.260 Multifamily dwelling.

That each single family unit residing in a multiple dwelling building or an apartment building shall pay the minimum charge of six dollars (\$6.00) per month of each year for all water consumed; provided, however, that the owner of such multiple dwelling building or apartment building may, upon request to the utility superintendent, have installed one master water meter, which shall be operable as to measuring the quantity of water consumed, and which water meter shall be read as to the quantity of water consumed and the owner of such premises shall be billed each month of each year for all water consumed; provided, further, that the owner of such premises may, for such owner's own purpose and with the permission of the utility superintendent, and without cost to the city, install a water meter for each individual tenant for the purpose of billing each individual tenant as to the quantity of water consumed by each tenant. It shall be the responsibility of the owner of any multiple dwelling building and apartment building to report to the city finance officer the name of any new tenant and any removal of a tenant from the premises being leased in instances where such owner does not have a master water meter installed as hereinbefore provided, and any person violating this requirement shall be punished with a fine not exceeding Five Hundred Dollars (\$500.00). (Ord. 393 § 1 (part), Rule 26, 2002) (Amended 2007)

13.04.270 Deposit fee.

Effective from the date of the ordinance codified in this chapter, residential users of the system shall pay a One Hundred Dollar (\$100.00) deposit fee. Commercial users of the system shall pay a deposit equal to the average monthly water bill for the last 12 months (while actively conducting business) and in no event will the deposit exceed Five Hundred Dollars (\$500.00). Said deposits will be refundable upon termination of service subject to deduction of delinquent water bills. (Ord. 393 § 1 (part), Rule 27, 2002) (Amended 2004) (Amended November 2014)

**Part 4
Bulkwater Sales**

13.04.280 Definitions.

As used in this article, unless the context otherwise requires.

"Bulk water usage" means the intermittent usage of large quantities of water for purpose of hauling to a location not served by the city water system.

"Bulk water user" means anyone who wishes to purchase water on an intermittent large quantity basis for hauling to its source of use.

"City" means the city of North Sioux City or the officers or employees authorized to perform the functions to which there is reference.

"Person" means an individual, corporation (public or private), partnership, limited liability company, association or any other entity.

"Water distribution system" means the entire water supply system of the city for the supply, treatment, storage and distribution of portable water. (Ord. 395 § 1, 2002)

13.04.290 Use of municipal water system.

- A. It is unlawful for anyone to remove water from the city water distribution system unless they have obtained permission from the city for bulk water usage or unless they have a water service connection as provided for by city ordinance.
- B. If the city grants permission for bulk water usage the water usage shall be metered with a meter and valve provided by the city.
- C. The bulk water user shall control the rate of water flow with the city-provided valve.
- D. The bulk water user shall be responsible for any damage to the city water distribution system including valves, hydrants, piping or appurtenances that results from the bulk water use.
- E. The bulk water user shall not create a cross connection between the water system and the point of usage. Water shall pass to the bulk storage tank through an airgap or an approved backflow prevention device.
- F. The city may direct the rate and time for withdrawal of water by the bulk water user. (Ord. 395 § 2, 2002)

13.04.300 Service charges.

- A. A meter security deposit of one hundred dollars (\$100.00) shall be paid to the city prior to use of a city meter.
- B. An account for services will be kept for each user and separate account for each point of usage. Each user shall be liable for each point of bulk water usage. Bills for service shall be rendered monthly and will be due upon the date of billing. The city will render the bills; the city will keep accounts and will receive payment of bills and give receipts therefore.
- C. All sewer charges shall be a charge against the bulk water user, and if such charges shall not be paid when due, the city shall have the right to collect the delinquent charges by civil action in any court. (Ord. 395 § 3, 2002)

13.04.310 Rates and charges.

Each month, for all water sold or furnished by the city, and for metering services to bulk water users, all bulk water users shall pay the city an amount to be determined by the city, per thousand gallons of water as measured by the city meter. (Ord. 395 § 4, 2002)