



CITY & BOROUGH OF WRANGELL SPECIAL ASSEMBLY MEETING AGENDA

**Thursday, April 6, 2017
12:00 p.m.**

Location: Assembly Chambers, City Hall

1. Call to Order
2. Roll Call
3. Conflict of Interest
4. Persons to be Heard
5. Items of Business
 - a. Discussion of the Water Plant Issues including Water Shortage Management Plan, Water Rates, and Modification upgrades to the Water Plant
 - b. **Executive Session** – Discussion and possible selection for a new Borough Manager
 - c. Approval of the negotiation process with regards to the contract for a new borough manager
6. Adjournment

Agenda Item 5a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY SPECIAL AGENDA ITEM April 6, 2017

INFORMATION:

Discussion of the Water Plant Issues including Water Shortage Management Plan, Water Rates, and Modification upgrades to the Water Plant

Attachments:

1. Memo from Interim Borough Manager Rushmore
2. Water Shortage Management Plan
3. Proposed Ordinance with mark-up's

RECOMMENDED ACTION:

Discussion.

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: MS. CAROL RUSHMORE
INTERIM BOROUGH MANAGER**

SUBJECT: WATER TREATMENT PLANT AND RELATED ISSUES

DATE: April 5, 2017

BACKGROUND:

The Assembly requested additional information pertaining to the water treatment plant upgrade issues, water shortage management plan, and water rates after the discussion at the workshop on March 28, 2017.

Attached for further discussion is the Draft Water Shortage Management Plan which addresses what actions will be taken in order to conserve and provide water necessary for use demand and fire, health and safety based on available water for distribution. Staff would like to know if the Assembly has questions or would like to make changes to the proposed Plan. Staff will be recommending that the plan is approved at the Tuesday meeting. Based on current water available for distribution (reservoirs and storage tanks) Stage 1 should probably be implemented this week. We will be beginning a public education and conservation notice this week.

Also attached is a draft of proposed changes to the water ordinance that includes a 5% increase of all water rates beginning July 2017 and July 2018. This is the same as provided for the workshop. We are still investigating how other communities have structured their water rates and will provide some of that information during the meeting on Thursday.

Current budget status of the Water Fund will be provided at the meeting as will estimated costs for several upgrade options. We are working with a variety of industry reps to obtain as accurate of information as possible.

ATTACHMENTS:

1. Draft Water Shortage Management Plan
2. Proposed changes to water rates

CITY AND BOROUGH OF WRANGELL
WATER SHORTAGE MANAGEMENT PLAN

SECTIONS:

Findings
Purpose and Intent
Waste of Water Prohibited
Authorization
Action for Hydrological Shortage
Action for Emergency Shortage
Stage I Shortage
Stage II Shortage
Stage III Shortage
Stage IV Shortage
Duration of Water Use Restrictions
Exceptions
Access to Premises
Liability
Violations and Charges
Dispute Resolution

FINDINGS:

The Borough Assembly does hereby find, determine and declare as follows:

- A. In order to maintain a supply of safe, treated water for the City and Borough of Wrangell's citizens and businesses and to meet fire protection needs during periods of either low water supply or high water use, it is necessary to implement a water shortage management plan which identifies specific actions to be taken by the Borough to manage water available for distribution.
- B. Wrangell has limited water storage capacity. The maximum capacity of the upper and lower reservoirs is 190 acre-feet (45.3 million gallons) and 102 acre-feet (21.4 million gallons), respectively. These reservoirs form the water supply for Wrangell. The usable capacity of the treated water storage tanks is approximately 850,000 gallons at tank levels of 32 feet. A minimum of 10 feet of storage is required in the tanks to maintain adequate chlorine contact time for proper disinfection of the treated water supply. This level is also the Borough's minimum level for fire protection.
- C. Wrangell is located in a moderate rainforest climate, but where drought conditions periodically occur and where practices to conserve water are necessary.
- D. Wrangell's water treatment facility consistently experiences poor treatment performance and difficulty in cleaning treatment filters, which leads to low filtration capacity and water storage volume relative to both summer and winter water demands.
- E. High demand, together with drought conditions and/or system constraints, may reduce the water available to Wrangell's water supply system to the point of creating a water

shortage;

- F. Wrangell has developed a water shortage management response plan that is a layered contingency plan that provides for a systematic response, restricting customer water use, and moderating water waste to meet the essential needs of the community.
- G. It is necessary to provide Wrangell Borough staff with flexibility to implement measures to restrict water use as deemed appropriate to conserve the water supply of the City and Borough of Wrangell, to protect the health, safety and general welfare of the citizens during periods of potential water shortage.

PURPOSE AND INTENT:

It is the purpose and intent of this part to proactively establish procedures for systematically managing water demand through conservation measures and measures designed to limit water use during a system constraint or hydrological-related shortage. The procedures listed in this part are designed to be used during atypical and irregular events, and are not intended for use as a substitute for developing water supply projects.

WASTE OF WATER PROHIBITED:

No water customer shall allow, permit or cause the waste of water, which shall include any use of water in violation of this part.

AUTHORIZATION:

- A. The Borough Manager, along with the Public Works Director and Water Department staff are authorized to enforce this part.
- B. The Borough Assembly may declare a Stage I, Stage II, Stage III or Stage IV shortage when either a hydrologic or emergency shortage exists as defined below.
 - 1. Hydrologic Shortage - A hydrological shortage exists at a point that the draw-down from the lower reservoir exceeds the input from the upper reservoir or when the total of the two reservoirs is projected to be below two months of demand, whichever occurs first.
 - 2. Emergency Shortage - An emergency shortage exists when conditions such as storage tank levels, operational constraints, infrastructure failure, natural disaster, regulatory issues, or other factors hinder the Borough's ability to meet customer water demands.
- C. The Borough Manager may propose and implement additional water shortage response measures, beyond those contained in this part, or modify existing water shortage response measures, as deemed necessary.

ACTION FOR HYDROLOGICAL SHORTAGE

If total system storage is projected to be below two months of demand, then Borough staff will conduct an analysis. The analysis will consider system demands, water supply indicators such as long range weather forecasts, snowpack, precipitation, temperature, evaporation, stream flow, soil moisture, projected storage levels, operational constraints, and risk tolerance. If the analysis reveals a substantial risk of shortage, then the results will be reported to the Borough Manager with a recommendation for implementation of water shortage response measures, including declaration of a Stage I, Stage II, Stage III or Stage IV shortage as listed in this part.

It is important to note that a portion of the lower reservoir is unusable due to the elevation of the outlet in relation to the bottom of the reservoir.

ACTION FOR EMERGENCY SHORTAGE

If an emergency shortage exists when conditions such as reduced storage tank levels, operational constraints, infrastructure failure, natural disaster, regulatory issues, or other factors hinder the Borough's ability to meet customer water demands, then the results will be reported to the Borough Manager with a recommendation for implementation of water shortage response measures, including declaration of a Stage I, Stage II, Stage III or Stage IV shortage as listed in this part.

STAGE I SHORTAGE (WATCH):

A Stage I shortage may be declared when the Water Department informs the Borough Manager that the analysis required under section Authorization, part B of a water shortage indicates that proactive measures should be taken to avoid or reduce the severity of a shortage. During a Stage I shortage, the Borough will increase public communication and education efforts aimed at water conservation, will encourage the community to conserve water wherever possible and will evaluate the adjustment of water rates to promote the efficient use of water.

Stage I, in relation to water storage tank levels, applies when the tanks' levels fall below a sustainable level of 25 feet for a period of three days.

During a Stage I shortage, water customers are encouraged to follow the voluntary water conservation measures set forth below:

- A. Water landscaped areas with spray irrigation only between the hours of 5:00 a.m. and 8:00 a.m.
- B. Do not use water to clean outdoor hard surfaces such as sidewalks, driveways, decks and patios, except when cleaning with water is necessary for public health or safety reasons.
- C. Do not wash motor vehicles, trailers, boats and other types of equipment with a hose that lacks an active positive shut-off nozzle.
- D. No water customer shall fail to repair or disable any detectable water system line, component, or plumbing fixture that is leaking or damaged within 5-days of discovery.
- E. Restaurants, hotels, cafes, or other public places where food is sold, served or offered for sale,

are encouraged not to serve drinking water from the tap unless expressly requested by a patron.

- F. Industrial and commercial water customers using water for their business operations shall exhibit conservation measures.

STAGE II SHORTAGE (WARNING):

A Stage II shortage may be declared when the Water Department informs the Borough Manager that the analysis required under section Authorization, part B of a water shortage indicates that the Stage I response is insufficient to reduce demands to a level in proportion to the severity of the shortage.

Stage II, in relation to water storage tank levels, applies when the tanks' levels fall below a sustainable level of 20 feet for a period of three days.

The following restrictions on the use of water by water customers and water conservation measures shall be in effect and required during a Stage II shortage:

- A. Outdoor landscape watering shall only be allowed three days per week, as identified by the Borough, between the hours of 5:00 p.m. and 8:00 a.m. only. Outdoor landscape watering with a drip irrigation system, handheld hose equipped with an active positive shutoff nozzle or handheld container shall be used for trees, shrubs, and plants at all times.
- B. No water customer shall apply water to any turf grass, sodded or landscaped area resulting in the pooling or flowing of water across the ground or into drainage ways.
- C. No water customer shall use water to wash sidewalks, walkways, patios, driveways, parking areas or other impervious surfaces, except to eliminate conditions that pose a threat to public health or safety.
- D. No water customer shall wash motor vehicles, trailers, boats and other types of equipment with a hose that lacks an active positive shut-off nozzle.
- E. No water customer shall fail to repair or disable any detectable water line, water system component, or plumbing fixture that is leaking or damaged, within 72-hours of discovery.
- F. No restaurant, hotel, cafe, or other public place where food is served, or offered for sale, shall serve drinking water from the tap, unless expressly requested by a patron.
- G. Industrial and commercial water customers, *in particular all ports and harbor facilities, seafood processors, and dock fueling stations*, may utilize water for their business operation needs under a best management practices plan. The industrial or commercial user must develop, maintain on site, and comply with a best management practices plan that demonstrates optimal use of water. This plan must be available for review and approval upon request by the Borough at all reasonable times. The Borough may require periodic reporting by the customer to demonstrate optimal use of water.

If Stage II water shortage is related to reduced storage tank levels, industrial and commercial water customers shall have water flow reduced by 25% of the water service limits, in coordination with the customers, to assist in refilling the water storage tanks. Throttling will

be monitored and only implemented as long as necessary.

All outside water sales are prohibited.

H. City and Borough Facilities:

All boat harbors shall have all individual boat slips' water service discontinued. Water will be available at the head dock only. The Fire Department will be notified of the reduced service, allowing them to implement an alternative fire response plan.

STAGE III SHORTAGE (SEVERE):

A Stage III shortage may be declared when the Water Department informs Borough Manager that the analysis required under section Authorization, part B of a water shortage indicates that the Stage II response is insufficient to reduce demands to a level in proportion to the severity of the shortage.

Stage III, in relation to water storage tank levels, applies when the tanks' levels fall below a sustainable level of 15 feet for a period of three days.

In addition to the Stage II restrictions and water conservation measures set forth above, the following restrictions on the use of water by water customers shall be in effect and required during a Stage III shortage:

- A. Outdoor landscape watering is prohibited.
- B. Washing of sidewalks, walkways, patios, driveways, parking areas or other hard surfaces is prohibited. Power washing shall only be used for protection of public health, safety or welfare.
- C. Washing of motor vehicles, trailers, boats and other types of equipment shall be prohibited. Vehicles contained in commercial operation or fleets may be washed if public safety requires it.
- D. No water customer shall fail to repair or disable any detectable water line, water system component, or plumbing fixture that is leaking or damaged, within 24-hours of discovery. Failure to comply shall cause the water service to be shut-off by the Borough until such repairs are made.
- E. Filling or refilling any outdoor water feature or hot tub shall be prohibited.
- F. Industrial and commercial water use shall be reduced by an amount, to be determined by the Borough, in relationship to the severity of the shortage.

If Stage III water shortage is related to reduced storage tank levels, industrial and commercial water customers shall have water flow reduced by an additional 25% of the water service limits (total of 50% at Stage III), through coordination with the customers, to assist in recovering water levels in the storage tanks. Throttling will be monitored and only implemented as long as necessary.

G. City and Borough Facilities:

1. Ports and Harbor Facilities (all Boat Harbors, City Dock and the Marine Service Center) shall have limited hours of water service. The Fire Department will be notified of the reduced service, allowing them to implement an alternative fire response plan.
2. Swimming Pool shall have limited hours of water service.

STAGE IV SHORTAGE (CRITICAL):

A Stage IV shortage may be declared when the Water Department informs the Borough Manager that the analysis required under section Authorization, part B of a water shortage indicates that the Stage III response is insufficient to reduce demands to a level in proportion to the severity of the shortage.

Stage IV, in relation to water storage tank levels, applies when the tanks' levels fall below a sustainable level of 10 feet for a period of three days. At this stage, tank one has a reduced capacity of 4.5 feet, and tank two has a reduced capacity of 1.5 feet; therefore, the total capacity of the two tanks is comparable to 6 feet of usable water.

In addition to the Stage II and Stage III restrictions and water conservation measures set forth above, the following restrictions on the use of water by water customers shall be in effect and required during a Stage IV shortage:

- A. All outdoor use of water is prohibited.
- B. Any water customer found to have a leak or damaged water line, water system component, or plumbing fixture shall have water service disconnected until such repairs are made.
- C. Industrial and commercial water use shall be reduced by an amount, to be determined by the Borough, in relationship to the severity of the shortage.

If Stage IV water shortage is related to reduced storage tank levels, industrial and commercial water customers shall have water flow reduced by a further 25% of the water service limits (total of 75% at Stage IV), through coordination with the customers, to assist in recovering water levels in the storage tanks. Throttling will be monitored and only implemented as long as necessary.

D. City and Borough Facilities:

1. Ports and Harbor Facilities (all Boat Harbors, City Dock and the Marine Service Center) shall have water service discontinued as long as necessary. The Fire Department will be notified of the reduced service, allowing them to implement an alternative fire response plan.
2. Swimming Pool shall have water service discontinued as long as necessary.

DURATION OF WATER USE RESTRICTIONS:

The Borough will regularly evaluate the estimated supply of water available to the water system in an effort to determine whether it is necessary to continue the water use restrictions of a declared stage or level. Stages and levels may be declared in accord with this chapter and, if water supply conditions warrant, the Borough Manager may either downgrade or withdraw a declaration of a Stage I, Stage II, Stage III or Stage IV shortage.

EXCEPTIONS:

- A. Water customers may use water when a critical need is approved by the Borough or when water use is essential to protect public health, safety or welfare.

ACCESS TO PREMISES:

Whenever necessary for the purposes of investigating any alleged violation of this part, the Borough shall have the power, upon the presentation of proper credentials, to enter and inspect at any reasonable time, and in any reasonable manner, the exterior of a water customer's premises.

If entry to or inspection of the premises is denied or not promptly permitted, the Borough is authorized to terminate the water customer's water service to the premises, for willful violations of mandatory restrictions and regulations in this chapter, until the required inspection is made and the Borough is satisfied that a water waste situation does not exist.

LIABILITY:

Each water customer shall be responsible for compliance with this part with respect to the water customer's premises, and shall be responsible for applicable charges for noncompliance with this part. In the event of an alleged violation of this part, proof of the existence of a declared water shortage and proof of any violation of any restriction set forth in this part, together with proof that the violation originated at any water customer's premises, shall constitute a rebuttable presumption that the water customer is responsible for the violation.

VIOLATIONS AND CHARGES:

- A. Every law enforcement officer having jurisdiction in the Wrangell area shall have the authority to enforce the provisions of this section. In addition, the Borough Manager may also delegate enforcement responsibility for this section to other agencies and departments of city government, utilizing a variety of enforcement methods, including but not limited to, conducting customer education, issuing warnings and the addition of charges to water bills. The Borough Manager shall determine the stage of shortage at which the addition of charges to water bills will be used as an enforcement mechanism.
- B. In the event the Borough determines that an observed violation of this part has occurred on a water customer's premises during a Stage II, Stage III, or Stage IV shortage, the water customer may be subject to the following:

1. For a first observed violation of a Stage II, Stage III, or Stage IV restriction as set forth in this chapter, the Borough shall notify the water customer in writing of the violation and issue a written warning to the water customer. Enforcement officials shall provide violators with no more than one written warning. Each day in violation of this section shall constitute a separate offense.
 2. For a second and any subsequent observed violation of a Stage II restriction as set forth in this chapter, the Borough shall notify the water customer in writing of the violation and shall add a charge to the water bill for the premises up to two hundred fifty dollars (\$250.00). Each day in violation of this section shall constitute a separate offense.
 3. For a second and any subsequent observed violation of a Stage III restriction as set forth in this chapter, the Borough shall notify the water customer in writing of the violation and shall add a charge to the water bill for the premises up to five hundred dollars (\$500.00). Each day in violation of this section shall constitute a separate offense.
 4. For a second and any subsequent observed violation of a Stage IV restriction as set forth in this chapter, the Borough shall notify the water customer in writing of the violation and shall add a charge to the water bill for the premises up to one thousand dollars (\$1,000.00). Each day in violation of this section shall constitute a separate offense.
- C. For repeated observed violations of this part occurring during any Stage II, Stage III, or Stage IV shortage, the Borough may, in its discretion: a) disconnect water service to the premises for which the violations occurred in accord with the code of the utility; or b) restrict water flow to the water customer at the premises at which the violations occurred. Any flow restriction shall remain in place for a period determined by the Borough, based upon the severity of the violation as well as the applicable declared stage.
- D. Whenever the Borough finds a water customer to be in violation of this part, a notice of violation must be issued. Every reasonable effort will be made to notify the water customer of the violation, and a notice requiring the customer to cease the violation and take remedial action will be posted at the point of entry into the property. Failure to comply may result in temporary termination of water service pursuant to applicable water codes.
- E. The notice of violation must be served upon the water customer by fixing the notice to the premises of the water customer in a conspicuous place, by personal delivery, or by sending the notice electronically or by U.S. mail. If sent electronically or by mail, service shall be deemed complete upon sending or mailing. Service of the notice of violation by affixation has the same force and effect and is subject to the same penalties for disregarding a notice, as if the notice of violation were personally served on the water customer. For purposes of this part, a person who is of full legal age and who resides at the premises is deemed to be the agent of the water customer to receive a notice of violation.
- F. Whenever a water customer fails to correct a violation within the correction period set forth on a notice of violation, this failure to correct shall constitute an additional violation.
- G. Any charge assessed pursuant to this chapter shall be collectible in the same manner as a water charge under the water rates related to the Wrangell Water Department, and if unpaid, water service for the premises may be discontinued in accord with the Borough's

codes.

- H. Any charge assessed an industrial or commercial user, pursuant to this chapter, shall be equal to three (3) times the applicable charge.

DISPUTE RESOLUTION:

Any water customer's dispute with the Borough concerning this part shall first be addressed through review by the Borough Manager. If the review by the Borough Manager does not resolve the dispute, the water customer may, within five days of the demand made upon them for the water shortage violation, demand a hearing before the Borough Assembly on this matter. The Borough Assembly shall, after receiving a report from the Borough Manager of water shortage violation charges and after affording an opportunity for such hearing, in case the water customer demands the same, take such action at law as is necessary to collect any charges which the Borough Assembly shall find to be owing, including penalties and interest.

Chapter 15.04

WATER¹

Sections:

- 15.04.010 Supply terms generally.
- 15.04.015 Connection to borough water supply required.
- 15.04.020 Water quality.
- 15.04.030 Borough property.
- 15.04.040 Special contracts.
- 15.04.050 Resale of water.
- 15.04.060 Service preference.
- 15.04.070 Application for service.
- 15.04.080 Credit establishment.
- 15.04.090 Deposits – Terms.
- 15.04.100 Deposits – Forfeiture.
- 15.04.110 Ownership and maintenance.
- 15.04.120 Service connection charge.
- 15.04.130 Size of service pipe – Changes.
- 15.04.140 Length of service pipe.
- 15.04.150 Joint service connections.
- 15.04.160 Number of service connections on premises.
- 15.04.170 Standby fire protection service – Connections.
- 15.04.180 Standby fire protection service – Charges.
- 15.04.190 Standby fire protection service – Violations of regulations.
- 15.04.200 Other fire protection services.
- 15.04.205 Meters – Where required.
- 15.04.210 Meters – Damage prevention.
- 15.04.220 Meters – Control valve and stop.
- 15.04.230 Meters – Ownership and maintenance.
- 15.04.240 Meters – Installation.
- 15.04.245 Meters – Submeters.
- 15.04.250 Meters – Size and type.
- 15.04.260 Meters – Location.
- 15.04.270 Meters – Joint use services.
- 15.04.280 Meters – Changes in size or location.
- 15.04.290 Water rates – Publication.
- 15.04.300 Notices to customer.
- 15.04.310 Notices from customer.
- 15.04.320 Meter readings.
- 15.04.330 Flat rates.
- 15.04.340 Billing period.
- 15.04.350 Bills – Proration of certain.
- 15.04.360 Bills – Separate required – Exception.
- 15.04.363 Bills – Adjustments – Refunds.
- 15.04.370 Bills – Disputes.
- 15.04.380 Bills – Payment by due date.
- 15.04.390 Bills – Delinquency notices.
- 15.04.400 Bills – Turnoff notice for delinquencies.
- 15.04.410 Service turnoff for delinquent accounts – Method.
- 15.04.420 Service turnoff for delinquent accounts – Charges.
- 15.04.430 Installment payments for delinquent accounts.
- 15.04.440 Meter accuracy – Generally.
- 15.04.450 Meter accuracy – Testing upon customer request.
- 15.04.460 Meter accuracy – Testing upon borough request.

- 15.04.470 Meter accuracy – Bill adjustment for inaccuracies.
- 15.04.480 Meter accuracy – Bills for nonregistering meters.
- 15.04.490 Discontinuance of service – Upon customer request.
- 15.04.495 *Repealed.*
- 15.04.500 Discontinuance of service – For nonpayment of bills.
- 15.04.510 Discontinuance of service – For water waste.
- 15.04.520 Discontinuance of service – For detrimental service.
- 15.04.530 Discontinuance of service – For fraud or abuse.
- 15.04.540 Discontinuance of service – For noncompliance with regulations.
- 15.04.545 Turn-on and turn-off fee.
- 15.04.550 Unauthorized turning on or off of service.
- 15.04.560 *Repealed.*
- 15.04.570 Unusual water demands.
- 15.04.580 Access to premises for inspections.
- 15.04.590 Nonliability of borough for damages – Customer responsibilities.
- 15.04.600 Equipment remains borough property – Access.
- 15.04.610 Customer responsibility for damage to borough equipment.
- 15.04.620 Fire hydrant restrictions.
- 15.04.630 Service connection charges.
- 15.04.640 Monthly water rates.

15.04.010 Supply terms generally.

A. The borough will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a proper pressure and to avoid any shortage or interruption in delivery.

B. The borough will serve water at the pressure available and will reduce the pressure where necessary to protect the piping and, within reasonable limits, as satisfactory to the customer. Where pumping is required to serve a customer at too high an elevation to be served by gravity, the borough may, at its option, require the customer to provide a suitable pump as a condition of service. The installation shall be subject to approval by the water superintendent. [Ord. 217 § 5, 1968; prior code § 54.10.010.]

15.04.015 Connection to borough water supply required.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the borough or on borough property and abutting any street, alley or right-of-way in which there is now located or may be in the future located a public water supply of the borough is required at his expense to install facilities therein and to connect such facilities directly with the proper public water supply in accordance with the provisions of this chapter within 14 days after date of official notice to do so; provided, that the public water supply is within 200 feet of the property line. [Ord. 608 § 4, 1995.]

15.04.020 Water quality.

The borough will exercise reasonable diligence to supply safe and potable water at all times. [Ord. 217 § 5, 1968; prior code § 54.10.015.]

15.04.030 Borough property.

All water mains, valves, fittings, hydrants, and other appurtenances, except customer service lines, shall be the property of the borough. [Ord. 217 § 5, 1968; prior code § 54.10.020.]

15.04.040 Special contracts.

When the applicant's requirements for water are unusual or large, or necessitate considerable special or reserve equipment or capacity, the borough reserves the right to make special contracts, the provisions of which are different from and have exceptions to the regularly published water rates, and the provisions of this chapter. This special contract shall be in writing and signed by the applicant and the assembly. [Ord. 217 § 5, 1968; prior code § 54.10.025.]

15.04.050 Resale of water.

Resale of water shall only be permitted under special contract, in writing, between the assembly and the person or party selling the water. [Ord. 217 § 5, 1968; prior code § 54.10.030.]

15.04.060 Service preference.

In case of shortage of supply, the borough reserves the right to give preference in the matter of furnishing service to customers and interests of the borough from the standpoint of public health, safety, convenience or necessity. Water service to persons or entities not connected to the water utility shall be subject to the prior and superior rights of the customers connected to the water system. Water service to users outside the borough boundaries shall, at all times, be subject to the prior and superior rights of the customers within the borough. [Ord. 217 § 5, 1968; prior code § 54.10.035.]

15.04.070 Application for service.

Each applicant for water service shall sign an application form provided by the borough giving date of application, location of premises, whether they have been served before, the date on which applicant desires to have service begin, the purpose for which service is to be used, the address for mailing or delivery of bills, the applicant's address (owner, tenant, or agent), the class and size of service, and such other information as the borough may reasonably require. In signing the application, the customer agrees to abide by the borough code. The application is merely a written request for service and does not bind the borough to serve.

The borough may refuse to install new services between October 15th and April 1st due to frozen ground or "spring thaw" conditions that would adversely affect borough utilities and/or rights-of-way. [Ord. 432 § 5, 1982; Ord. 217 § 5, 1968; prior code § 54.10.040.]

The borough may refuse to install new services where municipal water mains do not already exist.

15.04.080 Credit establishment.

A. At the time application for service is made, the applicant shall establish his credit with the borough.

B. The credit of the applicant will be deemed established as follows:

1. If the applicant makes a cash deposit with the borough to secure payment of bills for service; the deposit shall be a sum equal to the estimated bill for two billing periods but not less than \$10.00;
2. If the applicant has promptly paid all accounts due the borough for a period of 12 consecutive billing periods;
3. If the applicant can otherwise convince the borough that all bills will be paid when due. [Ord. 217 § 5, 1968; prior code §§ 54.10.045, 54.10.050.]

15.04.090 Deposits – Terms.

At the time the deposit is given to the borough, the applicant will be given a receipt for the same. The deposit is not to be considered as a payment on account. The deposit will be returned to the customer, less any amount due the borough for service, when service to the customer is discontinued. The borough may, at its option, return the deposit without application, provided all bills have been paid promptly for 12 consecutive billing periods. [Ord. 601 § 5, 1995; Ord. 278 § 5, 1973; prior code § 54.10.055.]

15.04.100 Deposits – Forfeiture.

If an account becomes delinquent and it is necessary to turn off the service, the deposit shall be applied to the unpaid balance due. Water service will not be restored to that customer at the same or different premises until all outstanding bills due the borough have been paid and the cash deposit replaced. [Ord. 217 § 5, 1968; prior code § 54.10.060.]

15.04.110 Ownership of System and Equipment – Service and maintenance.

The borough shall own, install, and maintain all services and installations; and maintenance shall only be performed by authorized employees or agents of the borough. The customer shall own, install, and maintain the customer service line. [Ord. 217 § 5, 1968; prior code § 54.10.065.]

Comment [AA1]: [This section is inconsistent with other sections that indicate that the customer is responsible for the service line, from the water main to the service structure(s). Other sections state that while the borough installs and maintain service lines from the water main to the property line, the customer is responsible for the cost to install and maintain. This should be held consistent throughout the ordinance.]

15.04.120 Service connection charge.

A. At the time the applicant files for any service where no service previously existed, or if he is filing for a change in service size or location, ~~they~~^{he} shall submit with ~~his~~^{their} application ~~the service connection charge, a deposit in an amount, as estimated by the Public Works Director, to cover the direct costs for installation from the water main to the structure, plus a new service connection charge, as determined by the borough in the current published water rate schedule. [Ord. 217 § 5, 1968; prior code § 54.10.070.] The deposit must be made before a connection is made. Any additional cost over the estimated amount shall be billed to the property owner and any excess from the estimated amount shall be returned to the property owner.~~

~~B. This charge is to cover the actual cost to the borough to install the service from the main to and including the meter and the meter housing. The service connection charge shall be as determined by the borough in the current published water rate schedule. [Ord. 217 § 5, 1968; prior code § 54.10.070.]~~

~~A. The property owner is responsible for all costs for installation of a new service line or fire line from the water main to the structure.~~

~~B. Installation of a new service line from the structure to the property line shall be performed by the property owner/customer or a property owner/customer's private contractor. Only the Public Works Department personnel or its agents shall perform the installation of a new service line from the water main to the property line.~~

~~C. All water installations shall be made according to the Uniform Plumbing Code as adopted by the borough in Chapter 18.08 Plumbing Code of this code, and the property owner shall obtain a permit from the borough's building official, prior to installation.~~

~~E. Upon completion of the new service line to the property line, the Public Works Department or its agents shall make the connection to the property owner/customer's service line at the property line.~~

15.04.130 Size of service pipe – Changes.

A. The borough will furnish and install a service of such size and at such locations as the applicant requests, provided such requests are reasonable and that the size of service pipe shall be three-quarters of an inch. The borough may refuse to install a service line which is undersized or oversized.

B. Permanent changes in the size of the service line requested by the customer shall be paid by the customer, on the basis of actual costs to the borough, for making the change. [Ord. 217 § 5, 1968; prior code §§ 54.10.075, 54.10.080.]

15.04.140 Length of service pipe.

A. Where the main is in a public right-of-way, the meter will be placed at the right-of-way line nearest the property to be served for the standard connection fee, provided the length of service does not exceed the width of the right-of-way.

B. Where the main is on an easement or publicly owned property other than designated rights-of-way, the service shall be installed to the boundary of the easement or public property by the borough, provided the length of service does not exceed 30 feet.

C. If, in either case cited in subsection (A) or (B) of this section, the length of service line to the meter location exceeds the maximum stated, the applicant shall pay the extra cost of the line on the basis of actual cost to the borough for labor, materials and equipment rental, plus fifteen percent (15%). [Ord. 217 § 5, 1968; prior code § 54.10.085.]

15.04.150 Joint service connections.

A. The borough may, at its option, serve two or more premises with one service connection. On new service connections, the inside diameter of such joint lines shall be sufficient to provide a carrying capacity not less than the combined capacity of individual service lines of the same size as the meters installed.

Comment [AA2]: This language is confusing based on other language that says the property owner is responsible for the borough's costs to install the service line, from the water main to the property line. The language also conflicts the location of meters. Is the intent for "meter" to mean "service valve?"

B. Service extensions from an existing service to other occupancies or ownerships than that for which the existing service was intended shall not be permitted except under special considerations approved by the assembly. [Ord. 217 § 5, 1968; prior code § 54.10.090.]

15.04.160 Number of service connections on premises.

The owner of a single parcel of property may apply for and receive as many services as he and his tenants require, provided his application or applications meet the requirements stated in this chapter and the approval of the public works director. [Ord. 217 § 5, 1968; prior code § 54.10.095.]

Cross-connections.

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No water service connection to any premises shall be installed or continued in use unless the water supply is protected by all necessary backflow prevention devices as required by the Uniform Plumbing Code as adopted by the borough in Section 18.08 Plumbing Code of this code. Backflow prevention devices shall be installed on any premises where, in the judgment of the Public Works Director, the nature and extent of the activities, or the materials used or stored on the premises, could present a hazard to the water supply in the event a cross-connection were to be made. All costs for purchase and installation of the backflow prevention device will be paid by the property owner and/or customer.

15.04.170 Standby fire protection service – Connections.

Standby fire protection service connections of two-inch size and larger will be installed only if adequate provisions are made to prevent the use of water from such services for purposes other than fire extinguishing. Sealed fire sprinkler systems with water-operated alarms shall be considered as having such provisions. The borough may require that a suitable detector check meter be installed in the standby fire protection service connections to which hose lines or hydrants are connected. [Ord. 217 § 5, 1968; prior code § 54.10.100.]

15.04.180 Standby fire protection service – Charges.

Charges for standby fire protection service will be as stated in the published water rate schedule. No charge will be made for water used in the standby fire protection services to extinguish accidental fires or for routine testing of the fire protection system. The customers shall pay the full cost of the standby fire protection service connection, any required detector check meters, and any required special water meter installed solely for the service to the standby connection. [Ord. 217 § 5, 1968; prior code § 54.10.105.]

15.04.190 Standby fire protection service – Violations of regulations.

If water is used from a standby pipe connection service in violation of these regulations, an estimate of the amount used will be computed by the borough. The customer shall pay for the water used at the regular rates, including the minimum charge based on the size of the service connection and subsequent bills rendered on the basis of the regular water rates. [Ord. 217 § 5, 1968; prior code § 54.10.110.]

15.04.200 Other fire protection services.

A service having fire protection facilities on the premises and water for other purposes flowing through the same service connection shall be considered as an ordinary service and shall be metered. All water used through that service, regardless of its use, will be charged at the regular rates. [Ord. 217 § 5, 1968; prior code § 54.10.115.]

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15.04.205 Meters – Where required.

Water meters shall be required for all services except:

- A. Residential service to two or fewer units used solely for residential purposes, or any number of mobile homes; and
- B. Fire protection service lines not used in any manner for unmetered domestic supply; and
- C. Commercial/industrial properties where water is only used for restrooms, breakrooms, closed heating systems, and routine janitorial uses; and

D. Where the property was connected to municipal water prior to the passage date of the ordinance codified in this section, the property will continue to be billed at unmetered rates until such time as the municipality chooses to install a meter. [Ord. 829 § 1, 2008.]

15.04.210 Meters – Damage prevention.

The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the borough. If the meter or other facilities are damaged, the cost of making repairs shall be assessed to the customer. If the loaned materials are returned in satisfactory condition and all bills paid, the full amount of the equipment deposit will be returned to the temporary customer at the termination of service. [Ord. 217 § 5, 1968; prior code § 54.10.120.]

Comment [AA3]: Where is the language that requires a meter deposit?

15.04.220 Meters – Control valve and stop.

A. Customers shall install a suitable control valve in the customer service line as close to the meter as possible, the operation of which will control the entire water supply to the premises served.

B. It is a violation of this chapter for the customer to operate or cause unauthorized operation of the meter stop or any other appurtenances on the service connection. [Ord. 217 § 5, 1968; prior code § 54.10.125.]

15.04.230 Meters – Ownership and maintenance.

The borough will own and maintain all water meters. The borough will not pay rent or any other charge for a meter or other water facilities, including housing and connections, located on a customer's premises. [Ord. 217 § 5, 1968; prior code § 54.10.130.]

15.04.240 Meters – Installation.

Installation of water meters shall be performed only by authorized employees or agents of the borough. All meters shall be sealed by the borough at the time of installation, and no seal shall be altered or broken except by one of its authorized employees or agents. [Ord. 217 § 5, 1968; prior code § 54.10.135.]

15.04.245 Meters – Submeters.

The utility shall install one meter for multiple-occupancy buildings owned by a single entity or individual. If the owner desires individual meters for each unit, the owners shall install meters at the owner's expense, and as well as read and bill the tenants at the owner's cost. The utility shall have no interest or responsibility for the maintenance, upkeep, or reading of any submeters or any other facility on the customer line except as provided herein. [Ord. 829 § 1, 2008.]

15.04.250 Meters – Size and type.

Applicant may request and receive any size meter regularly stocked or furnished by the borough, provided the request is reasonable; and further provided, that the meter is not greatly oversized or undersized, as determined by the Public Works Director. The borough reserves the right to determine the type of meter to be installed. [Ord. 217 § 5, 1968; prior code § 54.10.140.]

15.04.260 Meters – Location.

The property owner shall provide a place for installation of the meter that is acceptable to the water utility. The meter will be installed wherever the applicant desires, within reason, but the location must be approved by the borough. The meter will not be located in driveways or other locations where drainage to the meter or its related parts may occur. The meter must be located in an area that is heated, dry, and accessible for repair and replacement of the meter, as determined by the water utility. A shutoff valve shall be installed by the property owner ahead of the meter yoke. The water utility may install a remote readout; a suitable place for the remote unit shall be provided by the owner and shall be satisfactory to the water utility. [Ord. 829 § 1, 2008; Ord. 217 § 5, 1968; prior code § 54.10.145.]

15.04.270 Meters – Joint use services.

The joining of several customers to take advantage of the single minimum charges and large quantity rates shall be prohibited; except under special contract, in writing, with the assembly. [Ord. 217 § 5, 1968; prior code § 54.10.150.]

15.04.280 Meters – Changes in size or location.

If, for any reason, a change in size of a meter and service is required, the installation will be accomplished on the basis of a new connection, and the customer's application shall be amended. Meters or services moved for the convenience of the customer will be relocated only at the customer's expense. [Ord. 217 § 5, 1968; prior code § 54.10.155.]

15.04.290 Water rates – Publication.

The water rates to be charged for size of service, including minimum charges, charges for water used over the specified minimum, charges for specified commercial users, and service connection charges, shall be published in separate schedules. These schedules, approved by the assembly, shall become a part of this chapter. These water rates and service connection charges may be revised by ordinance, following a public hearing. [Ord. 370 § 5, 1978; prior code § 54.10.160.]

15.04.300 Notices to customer.

Notices from the district to the customer will normally be given in writing and either mailed or delivered to him at his last known address. Where conditions warrant, and in emergencies, the borough may notify customers either by telephone, social media or other generally acceptable means of communicating with a large group of residents or messenger. [Ord. 217 § 5, 1968; prior code § 54.10.165.]

15.04.310 Notices from customer.

Notices from the customer to the borough may be given by the customer or his authorized representative orally or in writing at the office of the borough or to an agent of the borough duly authorized to receive notices or complaints. [Ord. 217 § 5, 1968; prior code § 54.10.170.]

15.04.320 Meter readings.

A. Meters will be read and customers billed on the basis of the meter reading to the nearest 1,000 gallons; that is, no charge will be made for amounts from one to 499 gallons, and the charge for amounts from 500 to 999 gallons will be for 1,000 gallons.

B. The borough will keep an accurate account on its books of all readings of meters; and such account, so kept, shall be offered at all times, places, and courts as prima facie evidence of the use of water service by the customer. [Ord. 217 § 5, 1968; prior code § 54.10.175.]

15.04.330 Flat rates.

Where meters have not been installed, nor rates set for meters, the customers shall be charged on the basis of the charges as set forth in schedules adopted pursuant to WMC 15.04.290. [Ord. 370 § 5, 1978; prior code § 54.10.180.]

15.04.340 Billing period.

Meters shall be read and bills shall be rendered monthly. [Ord. 217 § 5, 1968; prior code § 54.10.185.]

15.04.350 Bills – Proration of certain.

Opening or closing bills, or bills that for any other reason cover a period containing 10 percent more days or 10 percent less days than in the normal billing period, shall be prorated. [Ord. 217 § 5, 1968; prior code § 54.10.190.]

15.04.360 Bills – Separate required – Exception.

All meters or services supplying a customer's premises shall be billed separately, except that where the borough has, for operating purposes, installed two or more meters or services in place of one, the readings may be combined for billing. [Ord. 217 § 5, 1968; prior code § 54.10.195.]

15.04.363 Bills – Adjustments – Refunds.

No adjustments in customer's monthly billing rate will be made, except upon the written request of the customer. The customer shall be responsible for notifying the borough of changes in their establishment which may require a change in monthly rate. Upon written request, a monthly billing rate shall be adjusted by the borough if good cause is shown for such an adjustment. If the customer's rate is adjusted, refunds will only be made from the date the adjustment was requested in writing. [Ord. 483 § 4, 1985.]

15.04.370 Bills – Disputes.

When a customer disputes the correctness of a bill, he shall deposit the amount of the disputed bill at the time the complaint is lodged, to preclude discontinuance of service pending final settlement of the bill or bills. Subsequent bills shall be paid or placed on deposit in a similar manner. Failure of the customer to make such a deposit shall warrant discontinuance of service, as provided under this chapter. [Ord. 217 § 5, 1968; prior code § 54.10.200.]

15.04.380 Bills – Payment by due date.

Each bill rendered shall become due on the twentieth day of each month. If the bill is not paid by that date, the account shall be considered delinquent and interest will be charged at the maximum rate allowable under AS 45.45.010 unless arrangements have been made with the assembly, in writing, that specify another due date. [Ord. 680 § 4, 2000; Ord. 217 § 5, 1968; prior code § 54.10.205.]

15.04.390 Bills – Delinquency notices.

A reminder of account delinquency shall be sent, at the discretion of the superintendent, to each delinquent account on or about 30 days after the account becomes delinquent. [Ord. 217 § 5, 1968; prior code § 54.10.210.]

15.04.400 Bills – Turnoff notice for delinquencies.

On or about 40 days after an account becomes delinquent, a turnoff notice shall be sent to the customer. The notice shall state a date on which water will be turned off if the delinquent account is not paid in full prior thereto. [Ord. 217 § 5, 1968; prior code § 54.10.215.]

15.04.410 Service turnoff for delinquent accounts – Method.

On the turnoff date, the meter reader or other agent of the borough shall deliver a written notice to the customer stating that the water service is being turned off until all delinquent amounts have been paid. The meter reader or other agent of the borough shall immediately thereafter turn off the service. A delivery to any person residing at the address served by the meter shall be considered a delivery to the customer. If there is no person present at the address served, then the notice may be left on the premises stating that water service will be discontinued on the following morning. If delinquent bills are not paid by the following morning, the meter reader shall return to the premises, shut off the water service, and leave a notice that the water service has been turned off until all delinquent accounts have been paid. [Ord. 217 § 5, 1968; prior code § 54.10.220.]

15.04.420 Service turnoff for delinquent accounts – Charges.

In all instances where water has been turned off because of account delinquency, a ~~\$35.00~~ disconnect service charge shall be imposed; a reconnect service charge of ~~\$35.00~~ shall be made for the restoration of service, in which case replacement of the cash deposit, as stated in this chapter, will be required. [Ord. 278 § 5, 1973; prior code § 54.10.225.]

15.04.430 Installment payments for delinquent accounts.

In cases of extreme hardship, the superintendent shall have the discretion of renewing service to a delinquent account upon receipt of a satisfactory installment plan for the payment of the overdue account. [Ord. 217 § 5, 1968; prior code § 54.10.230.]

15.04.440 Meter accuracy – Generally.

All meters will be tested prior to installation. No meter will be placed in service or allowed to remain in service which is known to have an error in registration in excess of five percent under conditions of normal operation. [Ord. 217 § 5, 1968; prior code § 54.10.235.]

15.04.450 Meter accuracy – Testing upon customer request.

A customer may, giving not less than seven days' notice, request the borough to test the meter serving his premises. The borough will require the customer to deposit the testing fee. This fee shall be ~~\$325.00~~ for meters one inch and smaller and for meters larger than one inch shall be an estimate of the cost of testing the meter as determined by the ~~superintendent~~Public Works Director. The deposit will be returned to the customer if the test reveals the meter to overregister more than five percent under conditions of normal operation. If the meter is operating satisfactorily or if the meter underregisters more than five percent under the standard test conditions, the deposit shall be forfeited to the borough. Customers may, at their option, witness any meter tests which they request. [Ord. 829 § 1, 2008; Ord. 217 § 5, 1968; prior code § 54.10.240.]

15.04.460 Meter accuracy – Testing upon borough request.

If, upon comparison of past water usage, it appears that a meter is not registering properly, the district may, at its option, test the meter and adjust the charges accordingly if the meter either overregisters or underregisters. No charge for meter testing will be made to the customer for the meter test under these conditions. [Ord. 217 § 5, 1968; prior code § 54.10.245.]

15.04.470 Meter accuracy – Bill adjustment for inaccuracies.

A. When, upon test, a meter is found to be registering more than five percent fast under normal operating conditions, the borough will refund to the customer the full amount of the overcharge, based on corrected meter readings, for those billing periods that the meter was in use where good cause can be shown for the adjustment, and where the customer has notified the borough in writing of the need for the test. In no case shall refunds be made in excess of the applicable statute of limitations period.

B. When, upon test, a meter is found to be registering more than 10 percent slow, the borough may bill the customer for the amount of the undercharge, based upon corrected meter readings, for those billing periods that the meter was in use where good cause could be shown for the adjustment. In no case shall the customer be charged for a period in excess of the applicable statute of limitations period.

C. Nonregistering Meters. The borough will bill for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption based either upon the comparison with the customer's prior use during the same season of the previous year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditions, or both. [Ord. 829 § 1, 2008; Ord. 483 § 5, 1985; Ord. 217 § 5, 1968; prior code §§ 54.10.250, 54.10.255.]

15.04.480 Meter accuracy – Bills for nonregistering meters.

The borough will bill the customer for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the previous year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditions, or both. [Ord. 217 § 5, 1968; prior code § 54.10.260.]

15.04.490 Discontinuance of service – Upon customer request.

A. Each customer about to vacate any premises supplied with water service by the borough shall give the borough written notice of his intentions at least two days prior thereto, specifying the date service is to be discontinued; otherwise, he will be responsible for all water supplied to such premises until the borough receives notice of such removal.

B. At the time specified by the customer that he expects to vacate the premises where service is supplied or that he desires to be discontinued, the meter will be read and a bill rendered which is payable immediately. In no case will the bill be less than the proportionate share of the monthly minimum specified in the schedule applying to the size of service furnished. [Ord. 217 § 5, 1968; prior code § 54.10.265.]

15.04.495 Temporary discontinuance of service – Upon customer request.

Repealed by Ord. 829. [Ord. 432 § 6, 1982.]

15.04.500 Discontinuance of service – For nonpayment of bills.

A customer's water service may be discontinued if the water bill is not paid in accordance with the procedures set forth in this chapter. [Ord. 217 § 5, 1968; prior code § 54.10.270.]

15.04.510 Discontinuance of service – For water waste.

Where water is wastefully or negligently used on a customer's premises, ~~seriously affecting the general service~~, the borough may discontinue service if such conditions are not corrected after due notice by the borough. [Ord. 217 § 5, 1968; prior code § 54.10.275.] It is unlawful for any person to allow any water to run from any water tap or outlet, unless the water is metered.

15.04.520 Discontinuance of service – For detrimental service.

The borough may refuse to furnish water and may discontinue service to any premises where excessive demand by one customer will result in inadequate service to others. [Ord. 217 § 5, 1968; prior code § 54.10.280.]

15.04.530 Discontinuance of service – For fraud or abuse.

The borough will refuse or discontinue service to any premises where it is deemed necessary to protect the borough from fraud or abuse. Discontinuance of service from one or both of these causes will be made immediately upon receipt of knowledge by the borough that the condition or conditions exist. [Ord. 217 § 5, 1968; prior code § 54.10.285.]

15.04.540 Discontinuance of service – For noncompliance with regulations.

The borough may, upon five days' notice, discontinue service to a customer's premises for failure to comply with any of the provisions of this chapter. [Ord. 217 § 5, 1968; prior code § 54.10.295.]

15.04.545 Turn-on and turn-off fee.

Except for the initial turn-on that occurs when a property is connected to the municipal water system for the first time, each customer or applicant for service shall pay all costs for turning on or turning off the water service to the property, whether the turn-on or turn-off is due to the customer or applicant's request, nonpayment, interruption due to unsafe facilities, water waste, fraud, abuse, or noncompliance with any of the provisions of this chapter. The fee shall be computed at actual costs to the borough for labor, materials, and equipment, plus fifteen percent overhead, with a minimum charge of \$35.00. [Ord. 851 § 1, 2011; Ord. 829 § 1, 2008.] and the actual call-out labor cost, plus fifteen percent (15%) for responses after business hours.

15.04.550 Unauthorized turning on or off of service.

A. If water service is turned on or turned off at the curb stop by any person not specifically authorized to do so by the water utility, a fee of \$100.00 shall be paid by the property owner.

B. Where water service has been discontinued for any reason and the water is turned on by the customer or other unauthorized person, the water may then be shut off at the main, the meter removed, or other preventative measures put into place. The charges for instituting these measures shall be computed at actual cost to the borough plus fifteen percent (15%) overhead, but not less than ~~\$325.00~~. These charges shall be billed to the offending customer and water shall not be furnished to the premises until such charges are paid and the borough has reasonable assurances that the violation will not recur, at which time the offending customer will be billed any costs associated with re-establishing service, plus fifteen percent (15%) overhead, but not less than ~~\$325.00~~. [Ord. 829 § 1, 2008; Ord. 217 § 5, 1968; prior code § 54.10.290.]

15.04.560 Restoration of service.

Repealed by Ord. 829. [Ord. 217 § 5, 1968; prior code § 54.10.300.]

15.04.570 Unusual water demands.

A. When an abnormally large quantity of water is desired for filling a swimming pool, log pond, tank, or for other purposes, arrangements must be made with the utility prior to taking such water.

B. Permission to take water in unusual quantities will be given only if the borough facilities and other consumers are not inconvenienced.

C. Payment for such water will be in accordance with the regular schedule for water rates if service is through a meter or will be fixed by the assembly in the case of a nonmetered service. [Ord. 217 § 5, 1968; prior code § 54.10.305.]

15.04.580 Access to premises for inspections.

The duly appointed employees of the borough, under the direction of the ~~superintendent~~Public Works Director, shall have free access at all reasonable hours of the day to any and all parts of structures and premises in which water is or may be delivered for the purpose of inspecting connections, the conditions of conduits and fixtures, and the manner and extent in which the water is being used. The borough does not, however, assume the duty of inspecting the customer's line, plumbing, and equipment, and shall not be responsible therefor. [Ord. 217 § 5, 1968; prior code § 54.10.310.]

15.04.590 Nonliability of borough for damages – Customer responsibilities.

A. The borough shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing, or equipment, nor shall the borough be liable for loss or damage due to interruption of service or temporary changes in pressure.

B. The customer shall be present on site and responsible for valves on his premises being turned off when the water service is turned on. [Ord. 217 § 5, 1968; prior code § 54.10.315.]

15.04.600 Equipment remains borough property – Access.

Borough equipment on the customer's premises remains the property of the borough and may be repaired, replaced, or removed by the borough employees or agents at any time without consent of the customer. No payment will be made to the property owner for the right to install, maintain, replace, or remove borough equipment and must in no way interfere with its operation. The property owner must keep vicious dogs or other animals secured or confined to avoid interference with the utility operation and maintenance. [Ord. 217 § 5, 1968; prior code § 54.10.320.]

15.04.610 Customer responsibility for damage to borough equipment.

The customer shall be liable for any damage to equipment owned by the borough which is caused by an act of the customer, his tenants, agents, employees, contractors, licensees, or permittees. Damage to equipment shall include but not be limited to breaking of seals and locks, tampering with meters, injury to meters, including but not limited to damage by hot water or steam, and damaged meter boxes, curb stops, meter stops, and other service appurtenances. [Ord. 217 § 5, 1968; prior code § 54.10.325.]

15.04.620 Fire hydrant restrictions.

No person or persons other than those designated and authorized by the borough shall open any fire hydrant belonging to the borough, attempt to draw water from it, or in any manner damage or tamper with it. Any violation of this regulation will be prosecuted according to law. No tool other than special hydrant wrenches shall be used to operate a hydrant valve. In cases where a temporary service has been granted and water is received through a fire hydrant, an auxiliary external valve will be provided to control the flow of water. [Ord. 217 § 5, 1968; prior code § 54.10.330.]

15.04.630 Service connection charges.

A. All service connections to customers shall be charged at the actual cost of materials, equipment, and labor, plus fifteen percent (15%) overhead, with the following minimum charges per connection:

SERVICE CONNECTION CHARGES

Size of Service (in inches)	Minimum Charges
3/4	\$350.00
1	\$406.00
2	\$594.00
3 and over	\$650.00

B. Any additional charges including service connection charges for services larger than those stated will be based on the actual cost of labor, materials and equipment for installation, plus fifteen percent (15%) overhead. [Ord. 833 § 37, 2009; Ord. 477 § 5, 1985; Ord. 432 § 7, 1982; Ord. 278 § 5, 1973; prior code § 54.10.070(Schedule A).]

15.04.640 Monthly water rates.

A. The following monthly rates as shown in Table 15.04.640 shall apply to all metered and unmetered properties:

TABLE 15.04.640

Monthly Metered Water Rates

			6%	6%	6%	6%	6%
	Present Rate	7/1/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015	
Residential							
- Metered Residential	-	-	-	-	-	-	
- Base Charge (per-month)	\$ 20.00	\$ 21.20	\$ 22.47	\$ 23.82	\$ 25.25	\$ 26.76	
- Volume Charge (\$ per- 1,000-gallons)	-	-	-	-	-	-	
- First 4,000-gallons	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
- Over 4,000-gallons	\$ 1.88	\$ 1.99	\$ 2.11	\$ 2.24	\$ 2.37	\$ 2.52	
- Unmetered Residential	-	-	-	-	-	-	
- Flat Rate Charge (per- month)	\$ 30.45	\$ 32.28	\$ 34.21	\$ 36.27	\$ 38.44	\$ 40.75	
- Vacation Rate	\$ -	\$ 9.00	\$ 9.00	\$ 9.00	\$ 9.00	\$ 9.00	
Commercial							
- Metered Commercial	-	-	-	-	-	-	
- Base Charge (per-month)	\$ 20.00	\$ 21.20	\$ 22.47	\$ 23.82	\$ 25.25	\$ 26.76	
- Volume Charge (\$ per- 1,000-gallons)	-	-	-	-	-	-	
- First 4,000-gallons	\$ 0	\$ -	\$ -	\$ -	\$ -	\$ -	
- Over 4,000-gallons	\$ 1.88	\$ 1.99	\$ 2.11	\$ 2.24	\$ 2.37	\$ 2.52	
- Metered Large Commercial	-	-	-	-	-	-	
- Base Charge (per-month)	\$ 300.00	\$ 318.00	\$ 337.08	\$ 357.30	\$ 378.74	\$ 401.47	
- Volume Charge (\$ per- 1,000-gallons)	-	-	-	-	-	-	
- First 500,000-gallons	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
- Over 500,000-gallons	\$ 0.63	\$ 0.67	\$ 0.71	\$ 0.75	\$ 0.80	\$ 0.84	
- Unmetered- Commercial/Industrial	-	-	-	-	-	-	
Bakeries	\$ 115.28	\$ 122.20	\$ 129.53	\$ 137.30	\$ 145.54	\$ 154.27	
Bars	\$ 115.28	\$ 122.20	\$ 129.53	\$ 137.30	\$ 145.54	\$ 154.27	
Barbershop—one chair	\$ 28.80	\$ 30.53	\$ 32.36	\$ 34.30	\$ 36.36	\$ 38.54	
Barbershop—per each additional- chair	\$ 23.06	\$ 24.44	\$ 25.91	\$ 27.46	\$ 29.11	\$ 30.86	
Beauty Shop—one basin	\$ 28.80	\$ 30.53	\$ 32.36	\$ 34.30	\$ 36.36	\$ 38.54	
Beauty Shop—per additional-basin	\$ 23.06	\$ 24.44	\$ 25.91	\$ 27.46	\$ 29.11	\$ 30.86	
Bed and Breakfast within- Single Family Residential—per-	\$ -	\$ 6.46	\$ 6.85	\$ 7.32	\$ 7.69	\$ 8.15	

rental-unit							
Canneries—Fish Processing	\$	614.63	\$	651.51	\$	690.60	\$ 732.04 \$ 775.96 \$ 822.51
Canneries—Rinsing and Packaging-Only	\$	115.28	\$	122.20	\$	129.53	\$ 137.30 \$ 145.54 \$ 154.27
Canneries—Saltwater Process-Only	\$	115.28	\$	122.20	\$	129.53	\$ 137.30 \$ 145.54 \$ 154.27
Churches	\$	28.80	\$	30.53	\$	32.36	\$ 34.30 \$ 36.36 \$ 38.54
Cleaners and Cleaning Plant	\$	57.51	\$	60.96	\$	64.62	\$ 68.50 \$ 72.61 \$ 76.96
Clubs, Lodges—w/o Bar or Restaurant Facilities	\$	28.80	\$	30.53	\$	32.36	\$ 34.30 \$ 36.36 \$ 38.54
Clubs, Lodges—w/ Bar or Restaurant Facilities	\$		\$	61.06	\$	64.72	\$ 68.60 \$ 72.72 \$ 77.08
Cold Storage Plants	\$	614.63	\$	651.51	\$	690.60	\$ 732.03 \$ 775.96 \$ 822.51
Convenience Stores	\$	16.65	\$	17.65	\$	18.71	\$ 19.83 \$ 21.02 \$ 22.28
Docks	\$	143.95	\$	152.59	\$	161.74	\$ 171.45 \$ 181.73 \$ 192.64
Docks or Marinas for Small Boats, Including Oil Docks	\$	96.08	\$	101.84	\$	107.96	\$ 114.43 \$ 121.30 \$ 128.58
Garage, Service Station, Car Lots—w/o Wash Racks	\$	57.51	\$	60.96	\$	64.62	\$ 68.50 \$ 72.61 \$ 76.96
Grocery Stores—w/o Meat Market	\$	43.09	\$	45.68	\$	48.42	\$ 51.33 \$ 54.40 \$ 57.66
Grocery Stores—w/ Meat Market	\$	89.21	\$	94.56	\$	100.24	\$ 106.25 \$ 112.63 \$ 119.38
Hospital	\$	229.08	\$	242.82	\$	257.39	\$ 272.84 \$ 289.21 \$ 306.56
Hydrants, Fire Each	\$	18.26	\$	19.36	\$	20.52	\$ 21.75 \$ 23.05 \$ 24.44
Hotels and Motels—10 Rooms or Less	\$	86.44	\$	91.63	\$	97.12	\$ 102.95 \$ 109.13 \$ 115.68
Hotels and Motels—Over 10 Rooms, per Room	\$	6.71	\$	6.79	\$	7.20	\$ 7.63 \$ 8.09 \$ 8.58
Laundromats, Self Service—Under 30-lb. capacity, per machine	\$	35.18	\$	37.29	\$	39.53	\$ 41.90 \$ 44.41 \$ 47.08
Laundromats, Self Service—30 lbs. or over capacity, per machine	\$	61.38	\$	65.06	\$	68.97	\$ 73.10 \$ 77.49 \$ 82.14
Multifamily per unit (4 units and above)	\$	23.33	\$	24.73	\$	26.21	\$ 27.79 \$ 29.45 \$ 31.22
Office Building—Per employee	\$	1.88	\$	1.99	\$	2.11	\$ 2.24 \$ 2.37 \$ 2.52
Office Building—Each additional plumbed office	\$	28.80	\$	30.53	\$	32.36	\$ 34.30 \$ 36.36 \$ 38.54
Office Building—Each additional unplumbed office	\$	6.71	\$	7.11	\$	7.54	\$ 7.99 \$ 8.47 \$ 8.98
Offices—Medical	\$	97.96	\$	103.84	\$	110.07	\$ 116.67 \$ 123.67 \$ 131.09
Offices—Dental—w/ laboratory and/or X-Ray Unit	\$	97.96	\$	103.84	\$	110.07	\$ 116.67 \$ 123.67 \$ 131.09
Offices—Dental—w/o laboratory and/or X-Ray Unit	\$	28.80	\$	30.53	\$	32.36	\$ 34.30 \$ 36.36 \$ 38.54
Plane Floats	\$	57.51	\$	60.96	\$	64.62	\$ 68.50 \$ 72.61 \$ 76.96
Public Showers—First two stalls	\$	30.78	\$	32.63	\$	34.58	\$ 36.66 \$ 38.86 \$ 41.19
Public Showers—Per additional stall	\$	7.50	\$	7.95	\$	8.43	\$ 8.93 \$ 9.47 \$ 10.04

Ranger-District	\$	295.29	\$	313.04	\$	331.79	\$	351.70	\$	372.80	\$	395.16
Restaurant, Lunch Counters, Etc.— Up to and including 30 seats	\$	86.44	\$	91.63	\$	97.12	\$	102.95	\$	109.13	\$	115.68
Restaurant, Lunch Counters, Etc.— Over 30 seats	\$	115.28	\$	122.20	\$	129.53	\$	137.30	\$	145.54	\$	154.28
- Fountain only	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
Schools, per Classroom	\$	19.03	\$	20.17	\$	21.38	\$	22.67	\$	24.02	\$	25.47
Shops and Stores	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
Swimming Pool, Public	\$	390.21	\$	413.62	\$	438.44	\$	464.75	\$	492.63	\$	522.19
Everything Else	\$	-	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54

TABLE 15.04.640

Monthly Metered Water Rates

-	-	-	-	-	-	5%	5%
-	-	-	-	-	<u>Present</u>	<u>7/1/2017</u>	<u>7/1/2018</u>
-	-	-	-	-	<u>Rate</u>		
Residential							
-	Metered Residential						
-	-	Base Charge (per month)		<u>\$</u>	<u>\$</u>	<u>\$</u>	
-	-			26.76	28.10	29.50	
-	-	Volume Charge (\$ per 1,000 gallons)					
-	-	-	First 4,000 gallons	-			
-	-	-	Over 4,000 gallons	<u>\$</u>	<u>\$</u>	<u>\$</u>	
-	-			2.52	2.65	2.78	
-	Unmetered Residential						
-	-	Flat Rate Charge (per month)		<u>\$</u>	<u>\$</u>	<u>\$</u>	
-	-			40.75	42.79	44.93	
-	-	Vacation Rate		<u>\$</u>	<u>\$</u>	<u>\$</u>	
-	-			9.00	9.50	10.00	
Commercial							
-	Metered Commercial						
-	-	Base Charge (per month)		<u>\$</u>	<u>\$</u>	<u>\$</u>	
-	-			26.76	28.10	29.50	
-	-	Volume Charge (\$ per 1,000 gallons)					
-	-	-	First 4,000 gallons	-			
-	-	-	Over 4,000 gallons	<u>\$</u>	<u>\$</u>	<u>\$</u>	
-	-			2.52	2.65	2.78	
-	Metered Large Commercial						
-	-	Base Charge (per month)		<u>\$</u>	<u>\$</u>	<u>\$</u>	
-	-			\$401.47	421.54	442.62	
-	-	Volume Charge (\$ per 1,000 gallons)					

-	-	First 500,000 gallons	—		
-	-	Over 500,000 gallons	<u>\$ 0.84</u>	<u>\$ 0.88</u>	<u>\$ 0.93</u>
-		<u>Unmetered Commercial/Industrial</u>			
<u>Bakeries</u>			<u>\$ 154.27</u>	<u>\$ 161.98</u>	<u>\$ 170.08</u>
<u>Bars</u>			<u>\$ 154.27</u>	<u>\$ 161.98</u>	<u>\$ 170.08</u>
<u>Barbershop – one chair</u>			<u>\$ 38.54</u>	<u>\$ 40.47</u>	<u>\$ 42.49</u>
<u>Barbershop – per each additional chair</u>			<u>\$ 30.86</u>	<u>\$ 32.40</u>	<u>\$ 34.02</u>
<u>Beauty Shop – one basin</u>			<u>\$ 38.54</u>	<u>\$ 40.47</u>	<u>\$ 42.49</u>
<u>Beauty Shop – per additional basin</u>			<u>\$ 30.86</u>	<u>\$ 32.40</u>	<u>\$ 34.02</u>
<u>Bed and Breakfast within Single-Family Residential – per rental unit</u>			<u>\$ 8.15</u>	<u>\$ 8.56</u>	<u>\$ 8.99</u>
<u>Canneries – Fish Processing</u>			<u>\$ 822.51</u>	<u>\$ 863.64</u>	<u>\$ 906.82</u>
<u>Canneries – Rinsing and Packaging Only</u>			<u>\$ 154.27</u>	<u>\$ 161.98</u>	<u>\$ 170.08</u>
<u>Canneries – Saltwater Process Only</u>			<u>\$ 154.27</u>	<u>\$ 161.98</u>	<u>\$ 170.08</u>
<u>Churches</u>			<u>\$ 38.54</u>	<u>\$ 40.47</u>	<u>\$ 42.49</u>
<u>Cleaners and Cleaning Plant</u>			<u>\$ 76.96</u>	<u>\$ 80.81</u>	<u>\$ 84.85</u>
<u>Clubs, Lodges – w/o Bar or Restaurant Facilities</u>			<u>\$ 38.54</u>	<u>\$ 40.47</u>	<u>\$ 42.49</u>
<u>Clubs, Lodges – w/ Bar or Restaurant Facilities</u>			<u>\$ 77.08</u>	<u>\$ 80.93</u>	<u>\$ 84.98</u>
<u>Cold Storage Plants</u>			<u>\$ 822.51</u>	<u>\$ 863.64</u>	<u>\$ 906.82</u>
<u>Convenience Stores</u>			<u>\$ 22.28</u>	<u>\$ 23.39</u>	<u>\$ 24.56</u>
<u>Docks</u>			<u>\$ 192.64</u>	<u>\$ 202.27</u>	<u>\$ 212.39</u>
<u>Docks or Marinas for Small Boats, Including Oil Docks</u>			<u>\$ 128.58</u>	<u>\$ 135.01</u>	<u>\$ 141.76</u>
<u>Garage, Service Station, Car Lots – w/o Wash Racks</u>			<u>\$ 76.96</u>	<u>\$ 80.81</u>	<u>\$ 84.85</u>
<u>Grocery Stores – w/o Meat Market</u>			<u>\$ 57.66</u>	<u>\$ 60.54</u>	<u>\$ 63.57</u>
<u>Grocery Stores – w/ Meat Market</u>			<u>\$ 119.38</u>	<u>\$ 125.35</u>	<u>\$ 131.62</u>
<u>Hospital</u>			<u>\$ 306.56</u>	<u>\$ 321.89</u>	<u>\$ 337.98</u>

The Wrangell Municipal Code is current through Ordinance 930, passed March 14, 2017.

Note A: The residential schedule is restricted to service used exclusively for general domestic purposes.

Note B: Where central laundry facilities are furnished for the exclusive use of tenants in apartment buildings or trailer courts, no charge in addition to above will be made. It is the responsibility of the owner that only their tenants are using the facility. If it is found that others are using the facility for laundry the owner will be charged under the commercial rate.

Note C: ~~Vacation Rates Definition: A customer can apply for vacation rates if there is no one living in the household in excess of 30 consecutive days. The customer is only eligible if they apply in advance in writing showing when they are leaving and when they will return. Falsification of the information concerning vacation rates may result in forfeiting the ability to apply for vacation rates in the future. Customer who have their water turned off by the borough will pay the shutoff fee, but then will not pay any monthly fee for water.~~

Note D: Nonmetered rates herein apply to the average monthly usage. No adjustments will be made for seasonal use.

Note E: All commercial enterprises consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note F: The monthly rate for any establishment not herein designated shall be determined by the borough assembly. Until such rate may be established, the rate deemed by the water department and approved by the borough manager to be most applicable shall apply, subject to adjustment. [Ord. 851 § 2, 2011; Ord. 834 § 4, 2009; Ord. 833 § 38, 2009; Ord. 829 § 1, 2008; Ord. 751 § 5, 2004; Ord. 716 § 5, 2002; Ord. 641 § 5, 1998; Ord. 566 § 5, 1990; Ord. 520 § 5, 1987; Ord. 507 § 5, 1986; Ord. 483 § 6, 1985; Ord. 477 § 6, 1985; Ord. 432 § 8, 1982; Ord. 370 § 5, 1978; prior code § 54.10.160(Schedule B).]

¹ For statutory provisions requiring state approval of plans for water supply systems, see AS 46.03.720(b); for provisions on certification of water supply operators, see AS 46.30.010 et seq.

Agenda Item 5b

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
SPECIAL AGENDA ITEM
April 6, 2017**

INFORMATION:

Executive Session – Discussion and possible selection for a new Borough Manager

RECOMMENDED ACTION:

I move, pursuant to 44.62.320 (c) (2), that we recess into executive session to discuss matters that may tend to prejudice the reputation and character of any person, specifically: discussion of the remaining applicants for the Borough Manager's position.

Agenda Item 5c

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY SPECIAL AGENDA ITEM April 6, 2017

INFORMATION:

Approval of the negotiation process with regards to the contract for a new borough manager

RECOMMENDED ACTION:

Approval for the Borough Mayor and Assembly Member(s) _____ to negotiate the Borough Managers contract with the assistance of Interim Borough Manager Rushmore and Clerk Lane, with the final contract to come back to the Borough Assembly for approval.

Over.....