ORDINANCE NO. 385

AN ORDINANCE CREATING A WATER DEPARTMENT TO PROVIDE UTILITY SERVICE TO CONSUMERS WITHIN AND WITHOUT THE CITY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1. ESTABLISHMENT A water department is hereby established by the City of Basehor to provide water utilities to consumers residing within the city limits of Basehor and at its option, to provide water utility services to consumers outside the city limits of Basehor. The water department shall have the authority to purchase and sell water at rates established by the water department.

Section 2. ACQUISITION AUTHORITY The water department shall have the authority to acquire, pursuant to K.S.A. 12-527, existing water utility facilities and consumers.

Section 3. AUTHORITY TO CONTRACT The water department shall have the authority, with the consent and confirmation of the governing body, to employ or contract with outside agencies to provide water, maintain facilities, bill consumers, collect payments and install facilities to serve the customers of the water department.

Section 4. SUPERINTENDENT OF WATER. The general management, care, control and supervision of the city water system shall be in the superintendent of water, who shall be appointed by the mayor with the consent of the governing body.

Section 5. REGULATIONS. The furnishing of water to customers by the city through its waterworks system shall be governed by the regulations set out in this ordinance.

Section 6. SERVICE NOT GUARANTEED. The city does not guarantee the delivery of water through any of its mains and connecting services at any time except only when its mains, pumping machinery, power service connection are in good working order, and the supply of water is sufficient for the usual demand of its consumers.

Section 7. SERVICE CONNECTIONS REQUIRED.

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

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

Section 8. APPLICATION FOR SERVICE.

(a) Any person, firm or corporation desiring a connection with the municipal water system shall apply in writing to the city clerk, on a form furnished by the city for that purpose, for a permit to make the connection.
(b) The application shall:
(1) Contain an exact description including street address of the property to be served;
(2) State the size of tap required;
(3) State the size and kind of service pipe to be used;
(4) State the full name of the owner of the premises to be served;
(5) State the purpose for which the water is to be used;
(6) State any other pertinent information required by the city clerk;
(7) Be signed by the owner or occupant of the premises to be served, or his or her authorized agent;
(c) Each application for a connection permit shall be accompanied by payment of fees and/or costs specified in Section 10.

Section 9. CITY TO MAKE CONNECTIONS. All taps shall be given, street excavations made, corporation cocks inserted, pipes installed from main to curb, and the curb cock installed in a meter box to which the service pipe is to be connected by city employees only.

Section 10. CONNECTION FEES. The fees for connection to the city waterworks system shall be established by the adoption of Rules and Regulations when adopted by the City of Basehor.

Section 11. CURB COCKS. There shall be a curb cock in every service line attached to the city main, the same to be placed within the meter box. Curb cocks shall be supplied with strong and suitable "T" handles.

Section 12. CHECK VALVES. Check valves are required on all connections to steam boilers or on any other connection deemed necessary by the water superintendent. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of 40 pounds per square inch.

Section 13. UNAUTHORIZED SERVICE. It shall be unlawful for any person, firm, or corporation, other than duly authorized city officials or employees to turn water on or off at the water meter or curb cock shut off, with a key or in any other manner, without first obtaining written permission from the mayor or the governing body.

Section 14. METERS.
(a) All water furnished to customers shall be metered.
(b) Meters shall be located between the sidewalk or property line and curbing when the main is in the street, and on private property within three feet of the alley line when the main is in the street, and on private property within three feet of the alley line when the main is in the alley. In the business district the meters may be installed in the basement at a location specified by the city.
(c) The city's responsibility stops at the property line.

Section 15. TAMPERING WITH METER. It shall be unlawful for any person to break the seal of any meter, to alter the register or mechanism of any meter, or to make any outlet or connection in any manner so that water supplied by the city may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee of the water department to turn any curb cock on or off.

Section 16. LEAKS PROHIBITED; PENALTY. No allowances shall be made for water used or lost through leaks, carelessness, neglect or otherwise after the same has passed through the meter. However, every customer shall have the right to appeal to the city from water bill or meter reading which he or she may consider excessive.

Section 17. DISCONNECTION, RECONNECTION CHARGE. The governing body shall establish, by ordinance, a water service disconnection and reconnection charge. Whenever the city receives a request from a customer for termination of water service the disconnection charge shall be added to the customer's final bill. Any service disconnection for nonpayment of delinquent bill shall be reconnected only upon payment of the delinquent bill, interest penalty thereon, and the reconnection charge.

Section 18. UTILITY DEPOSIT. At the time of making application for water service, the property owner or customer shall make a cash deposit to secure payment of accrued bills or bills due on discontinuance of service.

Section 19. INTERRUPT SERVICE. The city reserves the right to interrupt water service for the purpose of making repairs or extensions to water lines or equipment.

Section 20. PROHIBITED ACTS. It shall be a violation of this ordinance for any unauthorized person to:
(a) Perform any work upon the pipes or appurtenances of the city's waterworks system beyond a private property line unless such person is employed by the city;
(b) Make any connection with any extension of the supply pipes of any consumer without written permission to do so having been first obtained from the governing body;

(c) Remove, handle or otherwise molest or disturb any meter, meter lid, cutoff, or any other appurtenances to the water system of the city.

Section 21. WASTING WATER. Water users shall prevent unnecessary waste of water and shall keep sprinklers, hydrants, faucets and all apparatus, including the service line leading from the property to the meter in good condition at their expense.

Section 22. RIGHT OF ACCESS. Authorized employees of the city may enter upon any premises at reasonable hours for the purpose of reading the meter or servicing or inspecting meters or water lines.

Section 23. RATES. The rates per month for the use of water in the city shall be as follows:
(Reserved).

Section 24. PAYMENT OF BILLS. All water bills for the previous month's water service shall be paid on or before the day of the month following the service. For any billing not paid when due a late charge of five percent (5%) will be added to the bill.

Section 25. DELINQUENT ACCOUNTS; NOTICE; HEARING; FINDING; LIABILITY. Water service shall be terminated for nonpayment of service fees or charges.

Section 26. USE DURING FIRE. No person owning or occupying premises connected to municipal water system shall use or allow to be used during a fire any water from the water system except for the purpose of extinguishing the fire. Upon the sounding of a fire alarm it shall be the duty of every such person to see that all water services are tightly closed and that no water is used except in extraordinary cases of emergency during the fire.

Section 27. CROSS-CONNECTIONS PROHIBITED. No person shall establish or permit to be established or maintain or permit to be maintained, any cross connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the city may enter the supply and distributing system of the city unless specifically approved by the Kansas Department of Health and Environment and the governing body.

Section 28. SAME; PROTECTIVE BACKFLOW DEVICES REQUIRED. Approved to protect against backflow or backsiphonage shall be installed at all fixtures and equipment where backflow and/or backsiphonage may occur and where there is a hazard to the potable water supply in that polluted water or other contaminating materials may enter into the public water supply. Any situation in which a heavy withdrawal of water, such as a sudden break in the main or water being used from a fire hydrant, may cause a negative pressure to

develop which could lead to backsiphonage of polluted water into the system shall be improper and must be protected by approved backflow preventive valves and systems as determined by the superintendent.

Section 29. SAME; INSPECTION. The city utility superintendent or other designee of the governing body shall have the right of entry into any building or premises in the city as frequently as necessary in his or her judgment in order to ensure that plumbing has been installed in accordance with the laws of the city so as to prevent the possibility of pollution of the water system.

Section 30. EFFECTIVE DATE. That this ordinance shall take effect and be in force from and after its publication in the official city paper.

PASSED AND APPROVED THIS 23 DAY OF JANUARY, 2002.

Mayor William W. Hooker

Attest:

Mary A. Mogle, City Clerk

Read and Approved as to Form:

John F. Thompson,
Attorney For City of Basehor

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