(ORD #7-91)
(ORD #1-98)
(ORD #04-04)
(ORD #19-09)
(ORD #06-12)
(ORD #08-13)
(ORD #21-26)

Chapter 111-Water Rules and Regulations

111.010. (ORD #04-04) Rates.

All rates for the sale of water to consumers shall hereafter be established by the Board of Public Works of the City of Holden, Missouri, and any change, amendment and alteration thereof except in case of immediate emergency shall be made only after a public hearing on said rates and regulations or proposed changes thereof, and a resolution adopted by the Board of Public Works, establishing such change in rates or regulations and notice of such change or amendment being given to the consumers by notice published for at least ten (1O) days in a newspaper of general circulation in the City of Holden. All rates which have been established by ordinance shall remain in effect until a change is made in accordance with this rule.

111.020. Residential service defined.

Consumer rates covering residential services shall be for those service installations used as single or multi-family living units, residences, apartments or rooming houses. Consumer rates covering non-residential services shall be for all other consumers; provided, however, that one set of rates may be adopted for both residential and non-residential consumers.

111.025. (ORD #04-04) Consumer defined.

The owner or person in control of any premises supplied by or in any manner connected to a public water system.

111.030. Not to Share service.

No consumer shall supply water to other families, businesses, institutions or persons, nor suffer them to take water off his premises, nor after water is introduced into a building, or upon any premises, shall any person make or employ; any plumber or other person to make any tap or connection without permission form the superintendent of water works.

111.040. Billing procedure.

Bills are to be rendered monthly. When bills are rendered for a period of less than one (1) month because of the start of or termination of service during the period, the charge shall be for the minimum monthly charge or for the cost of the water consumed, whichever is the greater amount.

111.050. Each meter to be billed separately.

Each meter installed on a separate service line shall be considered as a separate consumer unless such additional meter installation is required by the water department for its own convenience in determining the amount of water delivered.

111.060. (ORD #04-04) Payments.

Payments for service shall be made at the water department offices, or at such other places, or in such other manners, as the Board of Public Works may approve from time to time.

111.070. Access.

Employees or agents of the Water Department shall have access at reasonable hours to the premises supplied, for the purpose of making necessary examination of plumbing, meter reading, installing, or removing meters or to ascertain the location or condition of pipes and fixtures connected with the waterworks, or for any other cause necessary to the operation of the water department. On those consumers who refuse to abide by this regulation and whose meters are located within the premises to which water department employees cannot gain access during regular working hours, the water department shall have the right after 10 days written notice to the consumer in writing to move the meters to an outside installation and said consumers shall be billed for the cost of such moving, the charge to be the cost of materials and labor.

111.080. (ORD #7-91) Section I. Cross Connection Control-General Policy.

1. Purpose. The purpose of this ordinance is:

    a. To protect the public potable water supply from contamination or pollution by containing within the consumer's internal distribution system or private water system contaminants or pollutants which could backflow through the service connection into the public potable water supply system.

    b. To promote the elimination, containment, isolation, or control of existing cross connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures, and industrial-process systems.

    c. To provide for the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

2. Application. This ordinance shall apply to all premises served by the public potable water system of the City of Holden.

3. Policy. This ordinance will be reasonably interpreted by the water purveyor. It is the water purveyor's intent to recognize the varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard. The water purveyor shall be primarily responsible for protection of the public potable water distribution system from contamination or pollution due to backflow or contaminants or pollutants through the water service connection. The cooperation of all consumers is required to implement and maintain the program to control cross connections. The water purveyor and consumer are jointly responsible for preventing contamination of the water system. If, in the judgment of the water purveyor or his authorized representative, cross connection protection

is required through either piping modification or installation of an approved backflow prevention device, due notice shall be given to the consumer. The consumer shall immediately comply by providing the required protection at his own expense; and failure, refusal, or inability on the part of the consumer to provide such protection shall constitute grounds for discontinuing water service to the premises until such protection has been provided.

Section II. Definitions.

The definitions listed in Appendix A shall apply in the interpretation and enforcement of this ordinance.

Section III. Cross Connections Prohibited.

1. No water service connection shall be installed or maintained to any premises where actual or potential cross connections to the public potable or consumer's water system may exist unless such actual or potential cross connections are abated or controlled to the satisfaction of the water purveyor, and as required by the laws and regulations of the Missouri Department of Natural Resources.

2. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public potable or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved by the water purveyor and the Missouri Department of Natural Resources.

3. No water service connection shall be installed or maintained to any premises in which the plumbing system, facilities, and fixtures have not been constructed and installed using acceptable plumbing practices considered by the water purveyor as necessary for the protection of health and safety.

Section IV. Survey and Investigations.

1. The consumer's premises shall be open at all reasonable times to the water purveyor, or his authorized representative, for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.

2. On request by the water purveyor or his authorized representative, the consumer shall furnish information on water use practices within his premises.

3. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential cross connections to his water system through which contaminants or pollutants could backflow into his or the public potable water system.

Section V. Type of Protection Required.

1. The type of protection required by this ordinance shall depend on the degree of hazard which exists, as follows:

    a. An approved air gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard.

    b. An approved air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public potable water system may be contaminated with a substance that could cause a system or health hazard.

    c. An approved air gap separation or an approved reduced pressure principle backflow prevention assembly or an approved double check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollutional hazard not dangerous to health.

Section VI. Where Protection is required.

1. An approved backflow prevention assembly shall be installed on each service line to a consumer's water system serving premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, actual or potential hazards to the public potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard.

2. An approved air gap separation or reduced pressure principle backflow prevention assembly shall be installed at the service connection or within any premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on the premises, would present an immediate and dangerous hazard to health should a cross connection occur, even though such cross connection may not exist at the time the backflow prevention device is required to be installed. This includes but is not limited to the following situations:

    a. Premises having an auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the water purveyor and the Missouri Department of Natural Resources.

    b. Premises having internal cross connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not cross connections exist.

    c. Premises where entry is restricted so that inspection for cross connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross connections do not exist.

    d. Premises having a repeated history of cross connections being established or re-established.

e. Premises, which due to the nature of the enterprise therein, are subject to recurring modification or expansion.

f. Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where a cross connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.

g. Premises where materials of a toxic or hazardous nature are handled such that if backsiphonage or backpressure should occur, a serious health hazard may result.

3. The types of facilities listed in Appendix B fall into one or more of the categories of premises where an approved air gap separation or reduced pressure principle backflow prevention assembly is required by the water purveyor and the Missouri Department of Natural Resources to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the water purveyor and the Missouri Department of Natural Resources.

Section VII. Backflow Prevention Assemblies.

1. Any backflow prevention assembly required to protect the facilities listed in Appendix B shall be of a model or construction approved by the water purveyor and the Missouri Department of Natural Resources.

   a. Air gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch.

   b. A double check valve assembly or a reduced pressure principle backflow prevention assembly shall be approved by the water purveyor, and shall appear on the current "list of approved backflow prevention assemblies" established by the Missouri Department of Natural Resources.

2. Existing backflow prevention assemblies approved by the water purveyor at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of this ordinance so long as the water purveyor is assured that they will satisfactorily protect the water system. Whenever the existing assembly is moved from its present location, or requires more than minimum maintenance, or when the water purveyor finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention assembly meeting the requirements of this ordinance.

Section VIII. Installation.

1. Backflow prevention assemblies required by this ordinance shall be installed at a location and in a manner approved by the water purveyor and shall be installed at the expense of the water consumer.

2. Backflow prevention assemblies installed on the service line to the consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.

3. Backflow prevention assemblies shall be located so as to be readily accessible for maintenance and testing protected from freezing. No reduced pressure principle backflow prevention assembly shall be located where it will be submerged or subject to flooding by any fluid.

Section IX. Inspection and Maintenance.

1. It shall be the duty of the consumer at any premises on which backflow prevention assemblies required by this ordinance are installed to have inspection, tests, and overhauls made in accordance with the following schedule or more often where inspections indicate a need.
   a. Air gap separations shall be inspected at the time of installation and at least every twelve months thereafter.

   b. Double check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter.

   c. Reduced pressure principle backflow prevention assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter.

2. Inspections, tests, and overhauls of backflow prevention assemblies shall be made at the expense of the water consumer and shall be performed by a State of Missouri certified backflow prevention assembly tester.

3. Whenever backflow prevention assemblies required by this ordinance are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

4. The water consumer must maintain a complete record of each backflow prevention assembly from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, and repairs. Records of inspections, tests, repairs, and overhauls shall be made available to the water purveyor upon request.

5. Backflow prevention assemblies shall not be bypassed, made inoperative, removed, or otherwise made ineffective.

Section X. Violations.

1. The water purveyor shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention assembly required by this ordinance is not installed, tested, and maintained in a manner acceptable to the water purveyor, or if it is found that the backflow prevention assembly has

been removed or bypassed, or if an unprotected cross connection exists on the premises.

2. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this ordinance to the satisfaction of the water purveyor.

APPENDIX A

DEFINITIONS

1. "Air gap separation" means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the overflow level rim of the receptacle, and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel, but in no case less than one inch.

2. "Auxiliary water supply" means any water source or system, other than the public water supply, that may be available in the building or premises.

3. "Backflow" means the flow other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution system of a public water supply.

4. "Backflow prevention assembly" means any double check valve or reduced pressure principle backflow preventer having resilient-seated shut-off valves on both the upstream and downstream end and the necessary test cocks as integral parts of the assembly.

5. "Consumer" means the owner or person in control of any premises supplied by or in any manner connected to a public water system.

6. "Containment" means protection of the public water supply by installing a backflow prevention assembly or air gap separation on the main service line to a facility.

7. "Contamination" means an impairment of the quality of the water by sewage, process fluids, or other wastes to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

8. "Cross connection" means any physical link between a potable water supply and any other substance, fluid, or source, which makes possible contamination of the potable water supply due to the reversal of flow of the water in the piping or distribution system.

9. "Hazard, Degree of" means an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

a. Hazard, Health-any condition, device, or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.

b. Hazard, Plumbing-a plumbing type cross connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air gap separation or backflow prevention assembly.

c. Hazard, Pollutional-an actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances but would not be dangerous to health.

d. Hazard, System-an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

10. "Industrial process system" means any system containing a fluid or solution, which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional, or plumbing hazard if introduced into a potable water supply.

11. "Isolation" means protection of a facility's internal plumbing system by installing a backflow prevention assembly, air gap separation, or other backflow prevention device on an individual fixture, appurtenance, or system.

12. "Pollution" means the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

13. "Public potable water system" means any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

14. "Service connection" means the terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

15. "Water purveyor" means the owner, operator, or individual in responsible charge of a public water system.

APPENDIX B

TYPES OF FACILITIES REPRESENTING CROSS CONNECTION HAZARDS

1. Aircraft and missile manufacturing plants;

2. Automotive plants including those plants which manufacture motorcycles, automobiles, trucks, recreational vehicles and construction & agricultural equipment;

3. Potable water dispensing stations which are served by a public water system;

4. Beverage bottling plants including dairies and breweries;

5. Canneries, packing houses and reduction plants;

6. Car washes;

7. Chemical, biological and radiological laboratories including those in high schools, trade schools, colleges, universities and research institutions;

8. Hospitals, clinics, medical buildings, autopsy facilities, morgues, mortuaries and other medical facilities;

9. Metal or plastic manufacturing, fabrication, cleaning, plating or processing facilities;

10. Plants manufacturing paper and paper products;

11. Plants manufacturing, refining, compounding or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum or petroleum products, pharmaceuticals, radiological materials or any chemical which would be a contaminant to the public water system;

12. Commercial facilities that use herbicides, pesticides, fertilizers or any chemical which would be a contaminant to the public water system;

13. Plants processing, blending or refining animal, vegetable or mineral oils;

14. Commercial laundries and dye works;

15. Sewage, storm water and industrial waste treatment plants and pumping stations;

16. Waterfront facilities including piers, docks, marinas and shipyards;

17. Industrial facilities which recycle water;

18. Restricted or classified facilities or other facilities closed to the supplier of water or the department;

19. Fire sprinkler systems using any chemical additives;

20. Auxiliary water systems;

21. Irrigation systems with facilities for injection of pesticides, herbicides or other chemicals or with provisions for creating back pressure;

22. Portable tanks for transporting water taken from a public water system; and

23. Facilities which have pumped or repressurized cooling or heating systems that are served by a public water system, including all boiler systems.

111.090. (ORD #08-13) Deposits.

The water department shall require from all customers a deposit intended to guarantee the payment of water bills. The deposit for the property owner shall not exceed the amount of an estimated two months average bill of such customer; however, a minimum deposit of at least $150.00 shall be required. These deposits shall be paid to the Holden Water Department.

111.100. (ORD #19-09) Delivery Point.

The point of delivery shall be at the meter, curb stop, or control valve, located at or adjacent to the property line, whichever is closest to the main, provided that all of the following specifications exist: The service pipe shall have an inside diameter of no less that three-fourths (3/4) inches and shall be of type K copper from the main to 5’ beyond the delivery point. The service pipe shall lay in a straight line from the main to the delivery point at a right angle to the main. The meter, curb stop, or control valve shall be located at or near the main or property line out of the way of any vehicular traffic or parking and readily accessible to the BPW. The meter, curb stop, or control valve shall only be constructed of materials approved by the BPW. For those services lacking any of these specifications the point of delivery shall be at the corporation stop on the main. Any additional service lines beyond the delivery point to the customer’s side or any repair to old installation of service lines beyond the delivery point to the customer’s side shall be at the expense of the consumer regardless of the location of the meter. Upon the failure or replacement of the service line between the point of delivery and the meter, the consumer shall cause the meter to be relocated to the point of delivery if the BPW determines it to be a reasonable and safe location for the meter. For services greater than two (2) inches in diameter, the consumer must submit plans and specifications to the BPW prior to any installation for review and approval prior to any such installation.

111.110. Taps.

Taps are to be made by the water department after proper application for service by consumers or their authorized agents. Such applications must be filed on standard forms furnished by the water department and shall designate a permanent location of the premises to be served, name of the applicant, name of the owner, and size of service pipe.

111.120. (ORD #19-09) Service line.

The service line from the meter setting or curb stop to the building shall be installed in accordance with any applicable rules and regulations covering such installation as provided by the Board of Public Works or applicable City Code adopted by the Holden City Council. The service line shall have an inside diameter of at least three-fourths (3/4) inches and shall be of type K copper for at least five feet out of the meter setter or curb stop. After the five feet of service line to the building may be of type K copper pipe or SDR (HD Poly Ethylene CTS rated 200 PSI, or of any other equal or better pipe with 12 gauge copper locator wire installed when the service line is laid out to the main at a right angle (111.40), otherwise shall be of type K copper pipe. Glue joint PVC and galvanized steel pipe shall be prohibited from being installed underground. Type K copper for a minimum of ten feet from the building and through the foundation or the pipe must be protected by a sleeve. This sleeve shall be two pipe sizes greater than the pipe passing through the wall. The sleeves shall be filled or tightly caulked in an appropriate manner in accordance with International Building Code. Service lines of 2 inch or larger diameter may be Ductile Iron or plastic pipe, of no less quality than SDR 21 200 PSI bell and gasket PVC. Service lines shall be installed not less that forty-two (42) inches below the finished grade. In the event that any conflict is determined to exist between the provisions of this Title and any other codes as amended and adopted by the City Council, the more stringent provision shall apply.

111.130. How mains tapped.

The superintendent of the Board of Public Works, or persons authorized by him, will tap the main, inserting a stop cock which shall be known as a corporation cock.

111.140. Service line to be at right angles.

The service line must be laid out to the main at right angles to the face of the building at the point where the service line enters the face of the building. In case it is not possible to run the service line in this manner, special permission and instructions shall be obtained from the water department by the installer and a plat made thereof and filed with the water department and approved by the superintendent of the Board of Public Works.

111.150. (ORD #04-04) Materials.

The water department shall provide at a designated cost, the meter, meter yoke, control valve, meter well, meter cover, service pipe, couplings, and fittings, including the labor for installation of such materials up to the meter or control valve location on all services for residential consumers and/or those non-residential consumers for which the water meter installation will be outside of the structure serviced. On non-residential services in which the meter installation is made inside a structure, provisions shall be made by the consumer for such water meter installation in accordance with plans approved by the superintendent of the Board of Public Works.

111.155. (ORD #04-04) Connection fee.

The connection fee for water service, including the installation of materials up to the meter or control valve shall be an amount determined by the Board of Public Works. This cost shall reflect the approximate cost of materials including labor for a distance not greater than 60 feet from the water main.

The connection for services when the meter or control valve location is in excess of 60 feet from the water main shall be determined on a case-by-case basis but shall not be in excess of the actual cost of labor and materials. Nothing in this section shall be construed to relieve the consumer of their responsibility for maintenance of all installations past the point of delivery.

111.160. (ORD #04-04) Trench.
Each water service line, as set out above, must be placed in a trench separate from any other utility service trench. The undisturbed earth between the separate trenches shall not be less than ten (10) feet if the other utility is sewer and five (5) feet for all others. A shelf cut into the side of another utility service trench, at less depth that the water service trenches is not a separate trench within the meaning and requirements of this rule.

111.190. Unauthorized excavations.
No person except the superintendent of the Board of Public Works or his authorized agent will be permitted under any circumstances to tap the mains or distribution lines, or insert stops or cocks, etc., therein, and pipes must, in all cases, be tapped on top and in no case nearer than fifteen inches from either end of the pipe, nor nearer than four feet to any other tap, except in making a cluster of taps for large pipes; no person shall make any excavation in any street, highway or alley within six feet of any water pipe already laid, nor shall they dig up or uncover pipes so as to expose them to freezing except under the directions and supervision of the supervision of the superintendent of the Board of Public Works.

111.200. (ORD #04-04) Service Control Valve.
Where the consumer's service pipe is extended into any building or residence, a service control valve of approved pattern and make shall be installed on the service pipe, at or immediately beyond the point where such service pipe enters the property. This service control valve must be accessible to the occupant and the water department and is to be kept in good repairs at all times at the expense of such consumer.

111.210. (ORD #04-04) Maintenance of service lines and meter settings. All meter settings, meter yokes, control valves, meter wells, meter covers, service pipes, couplings, and fittings, installed in accordance with Chapter 111, and any other installation beyond the point of delivery, are the property of the consumer and shall be maintained by the consumer.

111.220. (ORD #04-04) When department to make repairs.
In the event such an installation as set forth in Section 111.210 shall require repairs, and the consumer fails to make same within (10) days after written notice by the water department that such repairs are necessary, the water department shall make the necessary repairs and bill the consumer for the materials and labor required: and that such bills for repairs shall be due and payable ten (10) days from the date of invoice, and if unpaid after that date, shall render all utility services to such consumer, regardless of location, subject to cut-off upon written notice as hereinafter provided.

111.230. Vacant lots.
Taps and service pipes will not be installed at or for vacant lots or in advance of building requirements. Plans and specifications must accompany application of service when requested by the water department. An exception to this section may be made at the option of the water department if an unimproved area should require water for construction purposes, truck gardens or similar usage.

111.240. Service lines across property of others.
Consumers will not be permitted to extend service lines along public or private streets or roadways or through property of others in order to obtain connection to the water main. Service line to serve only one premise. Separate premises must have separate service lines, curb cocks and meter pits.

111.260. (ORD #04-04) Inside installation of water meter.
On non-residential consumers, where a suitable outside location is not available, if a suitable and readily accessible location is available within the building where there is sufficient heat to prevent the meter(s) from freezing during the winter months, and the meter is protected from other physical damage, the water department will require a meter setting to be built to its specifications and located at a point accessible to the water department.

111.270. Damaged meter.
The water department shall keep in repair and maintain its meter at the consumer's premises; provided, however, that if the meter is damaged by the consumer or representatives of the consumer, the cost of such repairs or replacement of the meter shall be paid by the consumer. In case of defective service, written notice of the fact should be sent to the water department of Holden, Missouri.

111.280. Connections.
No person except a duly authorized employee of the water department or other person duly authorized by the water department shall make any connection or disconnection, either temporary or permanent, to a water main or service line of the water department or set, change, remove, interfere with or bypass any water meter of the water department.

111.290. (ORD #04-04) Meter checks.
1. The consumer shall accept the meter installed by the water department as a standard of measurement. Should the meter become defective or fail to register correctly, the quantity used shall be determined by a test of the meter, or by the amount used during a corresponding period of water use during the preceding twelve (12) months proportioned to the period during which the meter is shown to have been inaccurate. The water department will make without charge during regular working hours one check of any meter reading questioned by the consumer, all additional checks within the same billing period shall be subject to a service charge of Fifteen dollar ($15.00).These meter checks will be made during regular business hours only. All usual monthly readings by the water department made to determine the monthly water bill of each consumer shall be made without charge.

2. Any special meter reading made for the convenience of the consumer, and which is of no use to the water department shall be subject to a service charge of fifteen dollars ($15.00) if made during regular working hours, and fifty dollars ($50.00) if made at all other times.

111.300. (ORD #04-04) Same.

The water department at its own expense will make periodic tests and inspections of its meters in order to maintain them at a high standard of accuracy. Upon request, the water department will test any water meter, free of charges, provided that the meter in question has not been tested within twelve (12) months previous to such request, provided, however, that for all other tests made at the request of the consumer there will be a charge of twenty-five dollars ($25.00) payable in advance unless said meter is actually found to be defective when tested. No such test will be made at any time other than regular working hours.

111.310. Department may shut off water for repairs.

The water department reserves the right at all times, to shut off the water in a main for the purpose of making repairs or extensions, or for any other necessary purpose, and all persons having boilers or tanks within their premises depending on the pressure from the main to keep them filled, are hereby cautioned against danger of collapse. The water department shall use reasonable diligence in providing a regular and uninterrupted supply of water, but in case the supply of water is interrupted by reason of strike, riot, invasion, storm or fire, accident, breakdown legal process, state or federal interference, or any cause, the water department shall not be liable for damages to the consumers for interruptions in service. The water department shall give advance notice of any termination of service by the water department, except in emergency circumstances where the nature and severity of the repair work needed does not permit advance notice.

111.320. Superintendent may control unusual use.

The superintendent of the Board of Public Works shall be authorized to regulate or omit any unusual, unnecessary or wasteful use of water requiring flows of water, where such use of water may affect service to other consumers, and to restrict or regulate the quantity of water used by consumers in case of scarcity of water whenever in his judgment an emergency affecting public health and welfare may require such restrictions.

111.330. (ORD #04-04)(ORD #21-26) Discontinue service.

After making a reasonable attempt to give all water customers four (4) days notice, by mutually available electronic means including 2 automated calls, that their account is in arrears in the payment of bills rendered by the water department, the water department may discontinue all services supplied to such customer.

111.340. When bills due.

All water bills are due and payable immediately from the date of mailing and are considered delinquent on the 15th day after the date shown on the bill.

111.350. Bill delinquent.

On the 15th day after the date of any water bill, service may be terminated for non-payment after notice is given as provided in Section 111.330.

111.370. (ORD #06-12)Same.
In the event the water department discontinues a customer's water service for any nonpayment or violation of these rules and regulations, it shall require payment of a charge of $50.00 for the cost of each reconnection before the water is again supplied to the customer. Such reconnection charge shall be paid in addition to all other amounts due the water department prior to reconnection.

111.380. (ORD #04-04) Same if paid at time of disconnection.
If a consumer elects to pay the delinquent bill when the water department employees call to discontinue the water service, a service charge of twentyfive ($25.00) shall be added to any other sums due and the entire amount must be paid in cash at the water department office prior to actual disconnection of service, or the water service will be discontinued and the provisions of Section 111.370 shall apply.

111.400. Customer not to turn on water.
When water has been turned off from any consumer, he shall not turn it on nor permit it to be turned on without the written permission of the superintendent of the Board of Public Works and then only after payment of all delinquent indebtedness.

111.410. (ORD #04-04) When service discontinued.
When the premises are to be vacated or there is a change of owner or occupant, prompt notice must be given to the water department. Service may be discontinued by the consumer by giving not less than twenty-four (24) hours written notice to the water department during its regular office hours. Final bills for service shall become due and payable at once. Upon final disconnection, the Water Department shall compute the final bill and the consumer’s deposit shall be refunded to that consumer less any remaining charges due to the Water Department. If the consumer fails to give the twenty-four (24) hour notice prior to vacating the premises the consumer shall forfeit any remaining deposit balance to the Water Department. Further, the consumer shall be liable for any lost product or damages incurred as a direct result of their failure to notify the Water Department in advance of their departure.

111.420. (ORD #04-04) Extensions of water line.
The water department will permit extensions of its water mains within its service area on the following terms and conditions:

1. Upon application being made for an extension of water main, the applicant shall apply for approval to the Board of Public Works. Specifications and materials shall be approved by the Board of Public Works prior to any application for State or Federal permits. Construction shall be according to approved specifications and permits, and all local, state, and federal regulations. Inspections shall be made by the superintendent of the water department, before closing of ditch or covering pipe.

2. The water department shall make refunds during the first five (5) years after completion of the extension only to the party who has

contracted and paid for an extension as follows: During the first five (5) years after completion of the extension and after the stated number of prospective consumers are taking water service, a refund of Two Hundred Dollars ($200.00) shall be made for each additional new consumer taking services from said extension for not less than two (2) years at an average minimum charge of at least twelve dollars ($12.00) per month.

3. The sum of the refund made by the water department shall in no event exceed in the aggregate the amount paid to the water department for the extension.

111.460. (ORD #04-04) Same, inadequate distribution system.

1. If the distribution system at the point of connection of the service line is not of sufficient capacity to furnish the required amount of water for the fire protection in addition to the regular public demands of the area, the consumer (either present or prospective) will be required to advance the estimated cost of the mains, services and other facilities for bringing the additional delivery capacity from the point of ample system capacity to the consumer's curb or property line.

2. The water department will refund at the end of the first year (12 months) of service, an amount equal to that received from any additional connections made on the same basis as provided for under Section 111.420; provided, however, that the refunds shall not exceed the original cost of installation of the extension.

111.470. To comply with rules.

No service connection shall be made by the water department nor water supplied to any consumer unless all of the rules and regulations of the Board of Public Works and as set forth in this Chapter have been complied with.

111.480. Notice.

Every written notice required by this Chapter to be given by the water department, the Board of Public Works or its agents and employees shall be considered served at the time of mailing by ordinary mail or at the time a notice is hand delivered, if hand delivered, or the notice may be served by posting said notice in a conspicuous place on the premises. In no event shall actual receipt of a notice be required.

111.490. Assessment of charges.

The measurement and assessment shall be under the supervision of the water superintendent who shall cause the data in respect thereto to be entered in the water ledger to be provided by the Board of Public Works therefore; said entry to be made at the time of assessment. The water department shall verify computation of assessments caused to be entered by the water superintendent and the total revenue received therefrom for each month shall be certified to the Board of Public Works by the superintendent and the water department at its next regular meeting and shall appear on record in the minutes of said meeting. Any accounts chargeable to any persons for matters other than water consumed but associated with the water department shall be assessed, verified and entered in the same manner as for water revenue.

111.500. Ledgers to be kept by water department.
The water ledgers shall remain in the possession of the water department except during such time as shall be required for entry and verification of assessments therein registered. The ledger shall not be permitted to leave the possession of said water department unless the water department shall retain in his possession a list of the last meter reading and unpaid balances on each account thereon.

111.510. Reductions or adjustment of bill.
When an assessment has been entered in the ledger and has been verified by the water department and certified to the Board, the same shall then be of legal force and effect and the same shall not be reduced and no allowance shall be made thereon unless said reduction or allowance shall be made by resolution of the Board and shall appear in the record of the Board proceeding.

111.520. Collection duties.
The water department shall enter in the water ledgers the proper credits representing collection received in cash in respect to the account of each consumer. The water department shall also make accurate credit entries of all reductions or allowances which appear in the record of proceedings of the Board. Ledgers shall at all times show balances due.

111.530. (ORD #04-04) Tamper with utility.
Any person who shall willfully molest, disturb, break, damage, or in any manner wrongfully interfere with or injure the tower, reservoirs, tanks, water gates, or valves, mains, pipes, fire plugs, hydrants, drinking fountains, or other appliances or machinery used in supplying this City with water, or shall in any manner impede the flow of water through any of the water mains or pipes within this City, or place any foreign or noxious substance therein, shall, upon conviction, be guilty of an offense punishable under the code of ordinances.

111.540. (ORD #04-04) Same.
Any person who shall willfully and maliciously impair any of the mains, hydrants, valves, stop cocks, or other property of the water department or any other company or department now or hereafter furnishing water to the inhabitants of this City, or shall in any manner interfere with the construction or repair operations of said department, shall be guilty of an offense punishable under the code of ordinances.

111.550. Trespass.
It shall be unlawful for anyone other than officials and employees of the City of Holden, Missouri, to climb upon or trespass in any way upon any property of the water department of the City of Holden, Missouri.

111.560. (ORD #04-04) Taking water without permission.
Whoever shall himself, or by anyone acting under his authority, use or take water from any part of the works, mains, hydrants or cocks of the water department, without a license or permit, or shall without authority from said department, open, or hitch to, dig out, or maliciously cover or remove any fire plug, stop cock, valve or valve box or other fixtures pertaining to said

works, or shut off water going into or from any water pipe wherever situated, or permit the same to be done, shall be guilty of an offense punishable under the code of ordinances.

111.580. Bond of water department.

The water department as herein appointed shall be required to post a bond in the amount of Ten Thousand Dollars ($10,000.00).

111.585. (ORD #1-98).

1. Lead Ban-General Policy.

a. Purpose. The purpose of this ordinance is:

i. To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system; and

ii. To protect city residents from lead contamination in the City's public drinking water system and their own private plumbing systems.

b. Application. This ordinance shall apply to all premises served by the public drinking water system in the City of Holden.

c. Policy. This ordinance will be reasonably interpreted by the water purveyor. It is the purveyors intent to ban the use of lead based material in the construction or modification of the city's drinking water system or private plumbing connected to the city system. The cooperation of all consumers is required to implement the lead ban. If, in the judgment of the water purveyor or his authorized representative, lead base materials have been used in new construction or modification after January 1, 1997, due notice shall be given to the consumer. The consumer shall immediately comply by having the lead base materials removed from the plumbing system and replaced with lead free materials. If the lead base materials are not removed from the plumbing system, the water purveyor shall have the right to discontinue water service to the premises.

Definitions.

a. The following definitions shall apply in the interpretation and enforcement of this ordinance.

i. "Consumer" means the owner or person in control of any premises supplied by or in any manner connected to a public water system;

ii. "Lead base materials" means any material containing lead in excess of the quantities specified in paragraph 2.A (3);

iii. “Lead free”

means:

a. When with respect to solder and flux, refers to solders and flux containing not more that 0.2 percent (0.2%) lead; and

b. When used with respect to pipes and pipe fittings, refers to pipes and pipe fittings containing not more than eight percent (8.0%) lead.

c. "Public drinking water system" means any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources; and

d. "Water purveyor" means the owner, operator, or individual in responsible charge of public water systems.

3. Lead Banned from Drinking Water Plumbing.

a. No water service connection shall be installed or maintained to any premises where lead base materials were used in new construction or modification on the drinking water plumbing after January 1, 1997.

b. If a premises is found to be in violation of this section, water services shall be discontinued until such time that the drinking water plumbing is lead free.

111.590. Liability.

Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss or damage occasioned by the City by reason of such violation.