

ITEM # 34a&b
DATE: 11-14-17

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO CHAPTER 28

BACKGROUND:

On October 24, Council approved on first reading an ordinance that makes a number of updates to Chapter 28. **Staff has learned that a minor wording revision is necessary, based on feedback from the Iowa Department of Natural Resources.** The change is a slight alteration to the way Section 28.307(2) references the Code of Federal Regulations.

Sec. 28.307. INDUSTRIAL PRETREATMENT REQUIREMENTS

- (2) This section adopts by reference the following sections of the General Pretreatment Regulations for Existing and New Sources of Pollution promulgated by the United States Environmental Protection Agency, 40 Code of Federal Regulations, Chapter I, Part 403 as published through July 1, 1989 as amended ~~on October 17, 1989 and July 24, 1990~~ through October 22, 2015 as the City's pretreatment regulations. These sections included 403.2, 403.3, 403.4, 403.5, 403.6, 403.7, 403.8, 403.12, 403.15, 403.16 and 403.17.

Because this wording change does not alter the intent or application of the ordinance, the City Attorney recommends that Council first approve the modified wording, then proceed with approving the ordinance, as amended, on second reading.

ALTERNATIVES:

1. a) Approve an amendment to Chapter 28, Section 28.307 to reference the version of the Code of Federal Regulations, Chapter 1, Part 403 dated October 22, 2015.
b) Approve on second reading the ordinance revising portions of Chapter 28 related to Division II Water Service and Division III Sewers, as amended.
2. Do not approve additional Chapter 28 changes at this time.

CITY MANAGER'S RECOMMENDED ACTION:

Staff presented the proposed changes to Council at a workshop on October 17, 2017 and a first reading of the ordinance occurred on October 24, 2017. Following the first reading, one small revision is needed to comply with requirements of the Iowa Department of Natural Resources. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 28.201 THROUGH 28.504 THEREOF, FOR THE PURPOSE OF WATER SERVICE REVISIONS ; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 28.201 through 28.504 as follows:

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DIVISION II
WATER SERVICE

Sec. 28.201. WATER RATES AND CHARGES

The rates and charges for water supplied to consumers by the water utility of the city, to be billed on or after July 1, 2015 are as follows:

(1) Residential Rates.

(a) **Availability.** The residential rate shall apply to all customer accounts within the Ames corporate limits serving properties that are intended for occupancy by a single family as defined by the Ames Zoning Ordinance, provided that such accounts consist of no more than two dwelling units served by a single water meter or to multiple unit residential structures (such as apartment buildings) where every dwelling unit is separately metered. The rate does not apply to domestic uses that consist of more than two dwelling units served by a single meter or to water accounts that provide service for common areas such as shared laundry facilities or for general property maintenance.

(b) **Rate per billing period.** For each monthly billing period a residential rate customer:

(i) shall be charged a minimum charge based on meter size, and in addition

(ii) shall be charged for water usage during the billing periods as follows:

(a) for bills mailed on or between July 1 and October 31 (summer period):

\$0.0215 per cubic foot for the first 1000 cubic feet of usage

\$0.0379 per cubic foot for the next 1500 cubic feet of usage

\$0.0570 per cubic foot for all usage over 2500 cubic feet

(b) for bills mailed on or between November 1 and June 30 (winter period):

\$0.0215 per cubic foot

(2) Non-residential (Commercial) Rates

(a) **Availability.** The non-residential rate shall apply to all accounts that do not meet the criteria for residential, irrigation and yard water, rural water, or non-peaking

industrial rates.

(b) **Rate per billing period:** For each monthly billing period a non-residential customer:

(i) shall be charged a minimum charge based on meter size, and in addition

(ii) shall be charged for water usage during the billing periods as follows:

(a) for bills mailed on or between July 1 and October 31 (summer period):

\$0.0281 per cubic foot

(b) for bills mailed on or between November 1 and June 30 (winter period):

\$0.0215 per cubic foot

(3) **Non-Peaking Industrial Rate.**

(a) **Availability.** The non-peaking industrial rate shall be available to all non-residential rate customers who meet the following criteria:

(i) Average winter usage greater than 100,000 cubic feet per billing period. Average winter usage per billing period will be calculated by taking the sum of the usage during the most previous December, January, and February billing periods and dividing by three.

(ii) **A summer peaking factor equal to or less than 120%.** The summer peaking factor shall be computed by taking the largest consumption billed during the most recent summer billing periods (bills mailed July, August, September, and October) and dividing it by the average winter usage, with the result expressed as a percentage.

(b) **Rate per Billing Period.** For each monthly billing period a non-peaking industrial rate customer:

(i) shall be charged a minimum charge based on meter size, and in addition

(ii) shall be charged for water usage during the billing periods as follows:

(a) for bills mailed on or between July 1 and October 31 (summer period):
\$0.0215 per cubic foot

(b) for bills mailed on or between November 1 and June 30 (winter period):

\$0.0215 per cubic foot

(4) **Irrigation and Yard Water Service Rate.**

(a) **Availability.** The irrigation and yard water rate shall apply to all separately metered water uses that meet one of the following criteria:

(i) Serves primarily outdoor water uses, such as irrigation systems and outside hose bibs.

(ii) Serves cooling towers, spray ponds, evaporative condensers, chillers, or such similar uses where water is used as a medium for cooling.

(iii) Serves as a temporary water service, whether for irrigation purposes or for other outdoor uses.

(b) **Rate per Billing Period.** For each monthly billing period an irrigation and yard water rate customer:

(i) shall be charged a minimum charge as described below, and in addition

(ii) shall be charged for water usage during billing periods as follows:

(a) for bills mailed on or between July 1 and October 31 (summer period):

\$0.0310 per cubic foot for the first 2000 cubic feet of usage

\$0.0570 per cubic foot for the next 3000 cubic feet of usage

\$0.0949 per cubic foot for all usage greater than 5000 cubic feet.

(b) for bills mailed on or between November 1 and June 30 (winter period):

\$0.0215 per cubic foot

(5) **Rural Water Rate.**

(a) **Availability.** The rural water rate shall apply to all customer accounts outside the Ames corporate limits, except those covered by a separate wholesale contract or agreement for service.

(b) **Rate per billing period.** For each monthly billing period, a rural water rate customer:

(i) shall be charged a Rural water minimum charge based on meter size.

(ii) shall be charged for water usage during billing periods as follows:

(a) for bills mailed on or between July 1 and October 31 (summer period):

\$0.0356 per cubic foot for the first 2000 cubic feet of usage

\$0.0655 per cubic foot for the next 3000 cubic feet of usage

\$0.1092 per cubic foot for all usage greater than 5000 cubic feet.

(b) for bills mailed on or between November 1 and June 30 (winter

period):
 \$0.0247 per cubic foot for all consumption.

(6) **Water Rate and Charge Adjustments.** It shall be the duty of the director of water and pollution control to review and recommend to the city council revisions of the rates and charges established and set out in this division at intervals appropriate to provide for the funding needs of the utility.

(7) **Minimum charges.** For each monthly billing, each customer shall be charged a minimum monthly charge based on the size of the water meter (s) and/or irrigation meter (s) at each location. The minimum monthly charge may be prorated, based on a 30-day billing period, for the customer's initial and/or final bills, provided that in no case shall the minimum monthly charge be less than five dollars and twenty-seven cents (\$5.27).

The minimum monthly charge for each water meter location shall be as follows:

Size of Meter	Residential, Non-residential, Non-peaking Industrial, and Irrigation Accounts	Yard Water Accounts	Rural Water Accounts
5/8" or 5/8"x3/4"	10.98	4.16	12.63
3/4 inch	21.96	6.46	25.26
1 inch	43.93	9.09	50.52
1-1/2 inch	87.86	12.41	101.04
2 inch	175.72	16.49	202.08
2 inch, battery of 2	340.35	--	391.40
2 inch, battery of 3	505.06	--	580.81
3 inch	351.35	21.46	404.06
4 inch	592.88	26.68	681.82
6 inch	988.14	31.95	1,136.36
8 inch	1,976.27	37.22	2,272.71
10 inch	2,964.41	42.10	3,409.07

(8) **Multiple dwellings – Mobile home parks.** Multiple dwellings, including mobile home parks, may be served from a single water meter. However, there shall be a surcharge added to the water rates set forth above, to be calculated as follows:

For a 5/8 inch meter serving 2 or more dwelling units.....	3.16/month/unit
For a 3/4 inch meter serving 4 or more dwelling units.....	3.16/month/unit
For a 1 inch meter serving 8 or more dwelling units.....	3.16/month/unit
For a 1-1/2 inch meter serving 16 or more dwelling units.....	3.16/month/unit
For a 2 inch meter serving 30 or more dwelling units.....	94.60/month
for the first 30 units plus \$4.91/month per unit for	
each additional unit in excess of 30 units	
For a 3 inch or larger meter serving any number of dwelling units	4.35/month/unit

For the purposes of this section, a dwelling unit is defined as a self-contained living facility (i.e., including kitchen and bath) such as an apartment or a licensed independent mobile home space.

(a) For rural customer accounts outside the Ames corporate limits, the multiple unit charges shown above shall be multiplied by a factor of 1.15.
 (Ord. No. 2338, Sec. 1, 4-28-70; Ord. No. 2412, Sec. 2, 9-5-72; Ord. No. 2461, Sec. 3, 12-18-73; Ord. No. 2653, Sec. 2, 5-2-78; Ord. No. 3167, Sec. 1, 4-28-92; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3278, Sec. 1, 5-24-94; Ord.

No. 3326, Sec. 1, 5-9-95; Ord. No. 3568, 6-27-00; Ord. No. 3995 06-23-09; Ord. No. 4010, 9-22-09; Ord. No. 4037, 5-11-10; Ord. No. 4112, 05-22-12; Ord. 4144, 5-14-2013; Ord. No 4215, 5-12-15).

(9) **Unintentional Summer Water Use.** During the summer billing periods, the City Manager or the Manager’s designee shall have the authority to approve an adjustment to a customer’s water, yard water, or irrigation charges if there was unintentional water usage as the result of a malfunction of an appliance or a plumbing fixture (e.g. water heater, washing machine, toilet, or irrigation system) and the unintentional usage exceeds the customer’s average summer usage by at least one thousand cubic feet. To be eligible for an adjustment, the customer must provide documentation from the person who repaired the malfunction (e.g. plumber, maintenance worker) which describes the cause of the malfunction and the action taken to correct the malfunction. The amount of the adjustment shall not exceed the difference between the actual water, yard water, or irrigation charges billed and the charges that would have been billed using the winter rate.

Sec. 28.202. WATER SERVICE, CONNECTION CHARGE.

(1) **Generally.** There is established hereby, as a fee for connection to the water main, such charge as the City Council shall by resolution set for the property served by and adjacent to the main, provided that no water utility special assessment connection fee has been imposed previously with respect to said land and the main was financed with funds of the City.

(a) **Rural water connections.** If an existing water main is adjacent to a rural property, rural water customers shall pay a fee for connection to the water main as provided generally above. If no main is adjacent to the property, the City will construct a temporary water service line to property to be used until such time as a water main is constructed adjacent to the property. The rural customer shall pay the entire actual cost for design and installation of the temporary line in accord with the City’s engineering fee schedule then in effect. Additionally, at such time as a main becomes adjacent to the property, the rural customer shall be required to connect to that main and shall pay a fee for connection to that main in accordance with the connection fee schedule then in effect.

(Ord. No. 4010, 9-22-09)

Sec. 28.203. METERS FURNISHED AND OWNED.

(1) All water meters shall be furnished and owned by the City. The customer shall pay for the water meter(s) according to the current schedule of fees for meter installation as stated in Appendix Q of the Municipal Code.

(2) The type and size of meter(s) to be installed may be reviewed with the customer or customer’s representative, but the Water and Pollution Control Department shall have final authority to select the meter(s) considered most appropriate for the proposed installation. No water meter shall be set nor shall the water service be turned on unless the location and setting comply with the code and all fees and deposits have been paid. If any customer requests a meter for a new installation, and has any unpaid fees or charges for other locations, no new meters shall be set until all fees and charges are paid in full.

(3) Locations with irrigation systems may be required to install a separate meter, and have a separate utility account for the irrigation system. The requirement for a separate meter will be based on maintaining accuracy and accountability and will be determined by the Water and Pollution Control Department.

Water Meter Sizing Guide

Maximum Number of Fixture Units As Determined from UPC Table 6-4 to Size Service Lines and Meters	Normal Operating Flow Range In gallons per minute (gpm)	Meter Size Typical Residential and Commercial Applications with Flush Tanks
29	¼ - 20	5/8” x 3/4” Positive Displacement
52	¼ - 30	3/4” Positive Displacement
125	½ - 50	1” Positive Displacement
275	1 – 80	1½” Positive Displacement or Ultrasonic

(Ord. No. 854, Sec. 45; Code 1956, Sec. 31-45; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.204. METER TO REMAIN WHERE INSTALLED

(1) The water meter(s) shall remain at the address in which installed and shall remain in the same location as first installed unless the relocation is approved by the Water Meter Division. In the event the owner or occupant moves from the building, the meter(s) remains with the building. If the building is demolished or moved from the lot, the meter(s) shall be removed and returned to the City. If the building is moved to another location, the owner shall pay applicable meter fees for the new location.

(2) Meter fees will also be charged for the new meter(s) set at the previous location. This meter fee may be prorated if the new meter(s) is set within six months of the notice to the Finance Department to discontinue service.

(3) Only employees of the Water Meter Division are authorized to remove meters except as provided in Section 28.210(2). A resetting fee at the current rate stated in Appendix Q of the Municipal Code, shall be assessed for removal of a meter without authorization.

(Ord. No. 854, Sec. 46; Code 1956, Sec. 31-46; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.205. LOCATION AND ACCESSIBILITY

(1) **Basement mechanical room.** The water meter(s) shall be located in the basement or mechanical/utility room if one is provided. The water meter shall be placed where the water service line comes through the basement wall or basement floor. Where no basement is provided, the meter(s) shall be placed where the service line comes through the floor of the utility room. Meters shall be indoors and protected from freezing. A floor drain shall be located in the room containing the meter(s). Meters cannot be located above the first or ground floor level under any conditions. Only the individual water meter(s) serving a dwelling unit can be located within the private occupancy space of that dwelling unit.

(2) **Multi-family dwellings.**

(a) In a duplex, the preferred meter location is in a joint basement or mechanical room. If this is not possible, individual meter(s) must be in the private occupancy area (utility room, for example) of that dwelling unit.

(b) In multi-family dwellings on one level, the preferred meter location is in a joint mechanical, utility, or meter room. However, with prior approval, individual meters may be located in the utility room of each dwelling unit.

(c) In multi-family dwellings on more than one level, meters shall be located in mechanical/utility or meter room in the basement or first floor level of the building where the service line comes through the wall or floor. Individual meters are prohibited from being located in each apartment's utility room. A floor drain must also be provided in the mechanical or meter room.

(3) **Meter setting height.** Single water meters shall be set at a height not less than 30 inches and not more than 42 inches above the finished floor. A minimum of 18 inches of clear space is required above and below the meter, and a minimum of 36 inches of clearance is required in front of the meter for maintenance purposes.

(a) Multiple water meters may be stacked vertically, and offset, within general limits of not less than 20 inches and not more than 48 inches above the finished floor. A scaled drawing of the proposed manifold installation shall be submitted to the Water and Pollution Control Department for review and approval. A master shut-off valve shall be provided where the meter manifold is connected to the building's domestic water service. The meter manifold shall be located in a common mechanical room accessible for meter maintenance and reading purposes. The piping on the discharge side of each meter shall be permanently labeled for the corresponding unit served. For commercial installations, access to the meter room by means of an exterior door is recommended. Refer to the Reference Guide for Obtaining Permits and Utility Services for New Construction for an example of a typical manifold installation.

(b) When a backflow assembly for containment is installed where a meter manifold is present, the assembly shall be installed according to the requirements of Section 5.208. (8)(b)(viii) of the Municipal Code.

(c) For manifold installations where non-metallic pipe is used for supply piping, a minimum of 24 inches of rigid pipe shall be installed on the vertical rise on the discharge side of the water meter. The discharge piping shall be attached directly to the wall to maintain proper spacing and alignment for the meter setting.

(4) **Accessibility.** All water meters shall be in an accessible location. There shall be no obstruction or storage of other materials preventing access to the meter. The meter shall not be placed above or behind a furnace, water heater, washer or dryer, or other such arrangement limiting access to the meter. For meters one inch and

smaller, a minimum of 18 inches of clearance above and below the meter and a minimum of 36 inches in front of the meter is necessary for meter maintenance and routine change. For meters larger than one inch, a minimum of 24 inches of working clearance above and below and 36 inches in front of the meter is necessary for maintenance purposes.

(Ord. No. 3199, Sec. 1, 9-24-92)

(5) **Access Granted.** As a condition of service, all customers must consent to provide access to the property for the purposes of meter reading, and to perform routine and emergency service and maintenance of the water meter. Failure or refusal to grant access may result in termination of water service. *(Ord. No. 4010, 09-22-09)*

Sec. 28.206. METER VALVES

There shall be an inverted key, ringstyle, locking-type water meter valve of 'Ford KV-23-W' pattern, or its equivalent, attached to every water service pipe inside the building wall, the valve to be set not less than two and one-half feet above the finished floor. There shall also be a valve installed on the discharge side of each meter.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.207. METER ACCESSORIES

(1) **Bypass.** A valved bypass line shall be provided for every commercial water meter installation 5/8" x 3/4" inch and larger so that the meter can be removed without interrupting service to the customer. All valved bypass lines shall be equipped with a ball valve with a locking mechanism which shall be closed and sealed by the Water Meter Division. If the seal is broken for any reason except as may be authorized by the Water Meter Division, the customer shall be billed for unauthorized use of water at the current rate stated in Appendix Q of the Municipal Code.

(2) **Jumper wire.** All water services constructed of metallic pipe material shall have a jumper wire installed around the water meter to ground the water piping when the water meter is removed for testing or maintenance. A jumper wire is not required where meter installations are equipped with a meter bypass constructed of metallic pipe material. The use of the water service as a primary ground for the electrical, telephone, cable TV, or other systems is prohibited. In the event the water service is constructed of non-metallic pipe material, neither primary nor secondary grounding is permitted. If a water service is constructed of non-metallic pipe material, a jumper wire is not required.

(3) **Water Meter Supports.** If a water service is constructed of non-metallic pipe material, the water meter shall be supported or mounted in an approved manner at the location specified in Sec. 28.205. Acceptable supports include a shelf attached/anchored to the building wall or a steel support anchored in the concrete floor. The support shall be of sufficient strength to hold the weight of the meter and accessories. A temporary support may be used for construction meters.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.208. METER PITS

Meter pits will generally not be approved because of the difficulty and safety hazards in meter reading and maintenance. For meter installations one-inch and smaller, pre-fabricated meter pits which do not require entry may be approved by the Water and Pollution Control Department. Installations for meters larger than one-inch, especially those requiring a backflow prevention assembly, shall be installed above grade in an enclosed structure and insulated and/or heated to prevent freezing.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.209. RADIO READ DEVICE

(1) **New meter installations.** All new water meter installations shall have a radio read device. Any residential dwelling units located within the City of Ames municipal electric service territory may have the radio read device located inside the dwelling. All commercial buildings, located within the City of Ames municipal electric service territory, and any residential or commercial buildings located outside of the City of Ames municipal electric utility territory, shall install, for each meter, a 22/3 gauge, stranded, shielded wire with plastic sheath from the water meter on the inside of the building to within three feet of the electric meter on the outside of the building. Meters located in meter pits or vaults shall have the radio read device located inside the pit or vault, or located in a pedestal near the meter pit or vault. If the electric meter is located on a transformer, or other remote location, the wiring for the radio read device shall terminate on the side of the building nearest the transformer or remote location. A minimum of three feet of excess wire shall be left at each end to allow connection to the water meter and installation of the radio read device. Any portion of the wire that will not be exposed (i.e. installed behind finished walls, above finished ceilings, etc.) shall be placed in conduit to protect the wire from damage and to facilitate replacement if necessary. The City will provide and install the radio read device and connect it the customer-

installed wire. (*Code 1956, Sec. 31-29.1; Ord. No. 2073, Sec. 1, 5-11-65; Ord. No. 2416, Sec. 2, 9-26-72; Ord. No. 3199, Sec. 1, 9-24-92*)

(2) **Rural Water customer remote readers.** Rural customers shall provide a mounting location for a radio read device that will facilitate easy access for meter reading. For locations that are served by the City of Ames municipal electric utility, the radio read device shall be placed within three feet of the electric meter wherever practical. Alternate locations and installation requirements shall be approved by the Water and Pollution Control Department prior to installation of the water meter.

It shall be the responsibility of the customer to maintain an adequate clearance around the remote reading device to prevent landscaping, snow drifts or piles, or other obstructions from interfering with access to the radio read device for meter reading, service, or maintenance.
(*Ord. No. 4010, 09-22-09*)

Sec. 28.209A. RURAL CUSTOMER BACKFLOW PREVENTION. For all water customers outside the Ames corporate limits, a reduced pressure principle backflow prevention assembly (RP) shall be required for containment.

(1) **Location.** The (RP) shall be installed directly after the meter.

(2) **Installation.** It is the responsibility of the customer to provide this device and it shall be installed by a plumber licensed by the City of Ames pursuant to a plumbing permit acquired from the City of Ames, and installed in compliance with all Plumbing codes applicable in the City of Ames.

(3) **Maintenance/Testing.** The (RP) shall be tested upon installation and at least annually thereafter by a registered backflow prevention assembly technician. Results of all backflow prevention assembly test reports shall be submitted to the Water Meter Division within 10 working days of when the device was tested.

It is the responsibility of the customer to maintain the (RP).

If backflow occurs at a rural water location, the customer shall comply with provisions of Ames Municipal Code Sec. 21.501(47) (b) (xii).

Failure to perform the required testing at least annually, or to maintain the device in good repair, may result in termination of service.

(*Code 1956, Sec. 31-29.1; Ord. No. 2073, Sec. 1, 5-11-65; Ord. No. 2416, Sec. 2, 9-26-72; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 4010, 09-22-09*)

Sec. 28.210. METER REPAIRS AND COST

(1) The Water Utility will service and maintain city-owned water meters without charge and will replace a defective or malfunctioning water meter without charge. However, if it is found that damage to the meter has resulted through carelessness and/or negligence on the part of the customer, or as a result of the customer's plumbing system or internal operations, then the customer shall be liable for the expense of the repair of the meter.

(2) In the event of an emergency where the meter is discovered out of order to such an extent as to cause property damage by leakage, the meter may be removed by the customer or the customer's representative and immediately returned to the Water Meter Division for repair.

(3) Where a water meter fails to register accurately, the customer shall be charged the average rate as shown by the previous readings of the meter when in order.

(*Ord. No. 854, Sec. 30; Code 1956, Sec. 31-30; Ord. No. 3199, Sec. 1, 9-24-92*)

Sec. 28.211. PROTECTION OF METERS.

(1) Protection of the meter from freezing or any other damage shall be the obligation of the owners and occupants of the premises for which installed. Cost of any repairs for damaged meters shall be assessed as described in Sec. 28.210.

(2) Unprotected construction meters will only be set between May 15 and October 15. If the construction is protected from the elements, a construction meter may be used at any time.

(*Ord. No. 854, Sec. 40; Code 1956, Sec. 31-48; Ord. No. 3199, Sec. 1, 9-24-92*)

Sec. 28.212. HYDRANT METER

As a general rule, hydrant meters will not be allowed except under unusual circumstances. Prior approval of the Water and Pollution Control Department is required. The customer shall complete a Hydrant Meter Application form to request a hydrant meter. All fees and charges, including any damage to the hydrant, hydrant meter, or backflow prevention assembly, will be billed to the customer when the hydrant meter is removed from service. A monthly fee, based on the meter size, will be charged for use of the hydrant meter. If the hydrant meter is

used fewer than 30 days, the monthly charge will be prorated on a daily basis. Please refer to Appendix Q of the Municipal Code for current fees. Only employees of the Water Meter Division are authorized to install and remove or move a hydrant meter.

(Ord. No. 854, Sec. 40; Code 1956, Sec. 31-48; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.213. UNMETERED WATER USE

Unmetered water use at any location for any purpose, without prior authorization from the Water and Pollution Control Department, shall be billed at the rate, stated in Appendix Q of the Municipal Code, per occurrence or per month, whichever is greater. The exception would be to use water to perform a water test for the sanitary sewer, drain, or waste and vent piping within a structure. In addition, any damages shall be charged to the person using the water without authorization. Authorized use of water without a meter will be billed at the rate listed in Appendix Q of the Municipal Code. To initiate or terminate this service the customer shall make such request through the Water Meter Division.

(Ord. No. 854, Sec. 40; Code 1956, Sec. 31-48; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.214. OWNERSHIP AND REPAIR, WATER SERVICE CONNECTIONS

All service connections with the city water supply from the main to the meter, including the corporation cock, service line, curb cock and curb box, and shut-off valves for the meter setting, shall be installed and maintained at the expense of the property to be served. Ownership of the entire service connection remains with the property. Whenever any part of the water service line between the main and the consumer's meter develops a leak or becomes out of repair, it shall be the duty of the property owner, to repair the defect. Leaking water services which are constructed of galvanized iron piping shall be replaced entirely between the water main and the meter with a water service line of proper size and approved material. The Administrative Authority may require replacement of leaking water services made of other non-approved materials if it is determined that the condition of the service line presents safety or sanitary concerns. To prevent or reduce damage to public or private property, the City Manager or his designee shall, if the owner does not act to correct the defect within fourteen (14) calendar days after notice, cause the discontinuance of water service to the premises. The City Manager is authorized to discontinue service or repair service leaks without prior notice to the property owner or tenant in emergency situations to prevent service interruption, damages, or injury to others. Any costs incurred by the city for excavation and replacement, and repair of damages to property caused by such, shall be charged to the owner and may be assessed as a lien against the property as provided in Sections 384.62 and 364.12 Code of Iowa.

(1) For the purpose of accountability, Apartment Dwellings, Condominiums, Commercial Buildings, Dwelling House, Family Home, Single-Family, Single Family Attached, Two-Family Attached, Efficiency Unit Dwellings, Manufactured Homes, and Mobile Homes (by means of individual meter pits), shall be individually metered. Assisted Living Facilities, Congregate Housing, Hospice Facilities, Hospitals, Hotels, Independent Senior Living Facilities, Nursing Homes, Residential Corrections Facilities, and Sorority or Fraternity Facilities would not be required to meter individual dwelling units. Requirements and exceptions are based on definitions stated in Section 29.201 of the Ames Municipal Code.

(a) **Code Requirements for Rural Water Service.** The service connection for a rural water account, from the tap at the main through the outlet of the backflow prevention device, shall comply in all respects with the requirements of the Ames Plumbing Code. Installation, alteration, repair, or other work performed on any part of the water service shall be done only pursuant to a permit from the City of Ames Inspections Division and all work shall be completed in compliance with the permit and any other requirements of the Inspections Division.

(Ord. No. 4010, 09-22-09)

(2) **Lead Service Line Replacement.** Any service line that contains any lead piping, fitting, fixture, solder, or other component; and, that develops a leak or otherwise becomes out of service shall be replaced.

(a) It shall not be lawful to leave any lead component in service when repairing or replacing a water service line.

(b) Where the service line is composed entirely of lead pipe, or consists of a mix of lead and galvanized piping materials, the service line shall be replaced in its entirety, from the point of connection to the City water main to the master water meter for the property.

(c) Where the service line consists of a lead "pigtail" or "gooseneck" between the water main and the curb stop box, and consists of copper or plastic from the curb stop box to the water meter, only the portion between the water main and the curb stop must be replaced.

(d) The cost of such replacement shall be the responsibility of the property owner.

(3) Any lead service line encountered during a City water main replacement project shall be replaced by the City. The cost shall be borne by the water utility as a part of the project, and shall not be passed on to the property owner.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.215. DISCONNECTION AND RECONNECTION OF WATER SERVICE -- CHARGES.

When requested by the customer, the City will cause the water to be turned off at the curb stop, provided the curb stop is in working order and is accessible. A fee may be charged to the customer for this service. The cost of locating and servicing an inaccessible or damaged curb cock or curb box will be at the expense of the customer ordering discontinuance of service. Should it become necessary to cut off the water at the corporation cock in the main, the expense thereof shall be charged to the owner of the premises. All utility bills and service charges will be made until notice of discontinuance of service is given to the City at the office of the Finance Director. When water service is discontinued, all utility bills and service charges of the City for water service to the customer shall be immediately due and payable. When service is disconnected for non-payment of bills, a charge may be made for disconnecting and reconnecting the service. Customer requested water service reconnection and disconnection is subject to a fee for each service call/trip as stated in Appendix Q of the Municipal Code.

(Ord. No. 854, Sec. 22; Code 1956, Sec. 31-22; Ord. No. 2009, Sec. 1, 12-17-63, Ord. No. 2550, Sec. 2, 7-6-76; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.216. AIR CONDITIONING WATER CONSERVATION.

(1) **Definitions.** For the purpose of this section the following terms, phrases, words, and their derivations have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(a) Air-conditioning system is one or more units for the cooling or dehumidification, or both, of space for human occupancy.

(b) Building official is the building official of the city.

(c) Compressor horsepower (one) is the equivalent of one ton of refrigeration which is the heat

required to melt ice at the rate of one ton in twenty-four (24) hours.

(d) Water conservation device is a cooling tower, spray pond, evaporative condenser or other equipment by which water is cooled and recirculated, thereby limiting the use of water from city mains to that amount necessary for cleaning, and restoration of losses through evaporation.

(e) Water regulating device is an automatic control valve, the purpose of which is to limit the maximum use of water to a predetermined rate.

(Ord. No. 846, Sections 2, 2.1, 2.4, 2.5, 2.7, 2.8; Code 1956, Sections 43-2, 43-2.1, 43-2.4, 43-2.5, 43-2.7, 43.2.8)

(2) **Compliance required.** It is unlawful for any person to have installed hereafter any air-conditioning system using water as its medium without first conforming to the provisions of this section and the building and electrical codes of this city.

(Ord. No. 846, Sec. 3; Code 1956, Sec. 43-3)

(3) **Permit required.** All persons who desire to install any air cooled or water cooled system shall obtain approval of their equipment, obtain a permit therefore in advance from the building official and shall give notice of completion of the installation to the official.

(Ord. No. 846, Sec. 4; Code 1956, Sec. 43-4)

(4) **Permit required to change nonconforming installations.** All water cooled air-conditioning systems installed prior to the effective date of this section which are to be replaced, altered or increased in size as a whole system or part of a system shall conform to the provisions of this chapter after the change has been made. A permit shall be obtained from the building official for the changes as herein provided.

(Ord. No. 846, Sec. 5; Code 1956, Sec. 43-5)

(5) **Standards of operation prerequisite to permit.** Before issuing a permit as required herein the building official shall find that the system complies with the following standards of operation:

(a) Use of city water in system using two compressor horse power or over. Water cooled

systems having two (2) or more compressor horsepower, or equivalent cooling capacity, shall be equipped with an approved water conservation device so that water from city mains shall be used for make-up or flushing purposes only.

(b) **Efficiency of water conservation device.** The water conservation device required herein for systems of two (2) or more horsepower capacity shall be of such efficiency that it will operate with not over fifteen (15) gallons of city water per hour per ton of refrigeration. The water level control on the tank or reservoir shall be so adjusted as to prevent waste of water through the overflow.

(c) **Construction of make-up device.** The make-up water connection required herein shall be so arranged that the supply has a physical break between the city water lines and the device whereby it is impossible for water to siphon back into the water lines in case of low pressure.

(d) **Systems using under two (2) compressor horsepower.** All water cooled systems using under two (2) compressor horsepower or equivalent cooling capacity shall be equipped with an approved automatic water regulating device, so adjusted as to limit the use of city water to not more than sixty (60) gallons per hour per ton of refrigeration.

(e) **Effect upon co-users.** In no case shall any system adversely affect the flow of water to other users in the area.

(f) **Discharge of water; method.** The discharge of water from the air-conditioning system shall be as directed by the building official.

(Ord. No. 846, Sections 6--6.6; Code 1956, Sec. 43-6--6.6)

(6) **Inspection of systems.** The building official shall cause all systems regulated herein to be inspected from time to time for compliance with this section.

(Ord. No. 846, Sec. 7; Code 1956, Sec. 43-7)

(7) **Noncompliance; permit holder to correct condition.** In case of noncompliance with this section the building official shall notify the permit holder to correct the condition within ten (10) days.

(Ord. No. 846, Sec. 7.1; Code 1956, Sec. 43-7.1)

(8) **Revocation of permit; extension of time to correct condition.** In the event of failure, or upon the refusal of the permit holder to comply as ordered, the building official shall, after notice and reasonable opportunity for hearing, revoke the permit; provided, however, that upon a showing of hardship or other circumstances warranting the action, the building official shall have the authority to grant an extension of time to comply with the provisions of this section and shall render a written report thereon to the city manager.

(Ord. No. 846, Sec. 7.2; Code 1956, Sec. 43-7.2)

(9) **Appeals.** Whenever the building official shall reject any plan or specification submitted hereunder and issue an order requiring compliance or revoking a permit, the person aggrieved shall have the right to appeal to a board composed of the water superintendent, city engineer and other qualified persons, and, if still aggrieved by the decision of this board, shall then have the right to appeal to the city council. The decision of the city council with respect to the appeal shall be final.

(Ord. No. 846, Sec. 7.3; Code 1956, Sec. 43-7.3; Ord. No. 3199, Sec. 1, 9-24-92)

DIVISION III
SEWERS

Sec. 28.301. SEWER RATE POLICY.

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the City of Ames to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works.

(Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92)

Sec. 28.302. DEFINITIONS.

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

(1) **'CBOD₅'** (denoting 5-day Carbonaceous Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter (mg/L).

(2) **'NH₃' or 'NH₃-N'** (denoting Ammonia) shall mean that portion of nitrogen in the form of ammonia which is determined by standard laboratory procedure for analysis of ammonia nitrogen, expressed in milligrams per liter (mg/L).

(3) **'TKN'** (denoting Total Kjeldahl Nitrogen) shall mean that portion of nitrogen which is the sum of ammonia and organic nitrogen in the form of proteins or intermediate decomposition products as determined by standard laboratory procedures for Total Kjeldahl Nitrogen, expressed in milligrams per liter (mg/L).

(4) **'COD'** (denoting Chemical Oxygen Demand) shall mean the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant as determined by standard laboratory procedures for COD, expressed in milligrams per liter (mg/L).

(5) **'Normal Domestic Wastewater'** shall mean, for the purposes of surcharge Program implementation, wastewater that has constituent concentrations at or below the values shown in the following table, expressed in milligrams per liter (mg/L).

<u>Constituent</u>	<u>Concentration, mg/L</u>
Oxygen Demand	
CBOD ₅	250
COD	550
Nitrogen	
NH ₃ -N	30
TKN	45
Solids	
TSS	300
Fats, Oils, and Grease	
Oil and Grease	300

(Ord. No. 4199; 11-25-14; Ord. No. 4263, 6-28-16)

(6) **'High Strength Surcharge'** shall mean a system to assess a sewer surcharge to any contributor discharging wastewater that is higher in concentrations of COD, TSS, TKN, and/or Oil & Grease than normal domestic wastewater. Concentrations of normal domestic wastewater are defined as follows; COD – 550 mg/L, TSS

– 300 mg/L, TKN – 45 mg/L, and Oil & Grease – 300 mg/L.

(7) **'Local Limits'** shall mean discharge limits determined by a treatment plant headworks calculation on local facilities.

(8) **'Operation and Maintenance'** shall mean those functions that result in expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and for which such works were designed and constructed. The term 'operation and maintenance' includes replacement as defined in (10).

(9) **'POTW'** shall mean publicly-owned treatment works.

(10) **'Replacement'** shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

(11) **'Residential User'** shall mean any contributor to the City's treatment works whose lot, parcel or real estate, or building is used for domestic dwelling purposes only.

(12) **'Shall'** is mandatory; **'May'** is permissive.

(13) **'TSS'** (denoting Total Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering, as expressed in milligrams per liter (mg/L).

(14) **'Composite Sample'** shall mean a time-based or flow-proportional sample (as determined by the Water and Pollution Control Department staff) that is representative of a user's typical work day discharge during a 24-hour period.

(15) **'Biosolids'** shall mean treated and stabilized solids, semi-solid, or liquid residue generated during the treatment of domestic wastewater at the POTW.

(16) **'Treatment Works'** shall mean any devices and systems for the collection, storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting biosolids, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste.

(17) **'Useful Life'** shall mean the estimated period during which a treatment works will be operated.

(18) **'User Charge'** shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of a designated part of the wastewater treatment works.

(19) **'Water Meter'** shall mean a water volume measuring and recording device.

(*Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92; Ord. No. 3526, 6-22-99*)

(20) **'FOG'** (denoting Fats, Oils, and Grease) shall mean organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease", "greases", and "oil and grease".

(*Ord. No. 4199; 11-25-14; Ord. No. 4263, 6-28-16*)

(21) **'FSE'** (denoting Food Service Establishment) shall mean a food establishment required to hold a Food Service Establishment License or Mobile Food Unit License from the Iowa Department of Inspections and Appeals. FSE shall not mean an establishment which is only required to hold a Food Processing Plant License or Retail Food Establishment License from the Iowa Department of Inspections and Appeals.

(*Ord. No. 4199; 11-25-14; Ord. No. 4263, 6-28-16*)

(22) **‘Grease Interceptor’** shall mean a tank that serves one or more fixtures and captures wastewater from garbage disposals, floor drains, pot and pan sinks and trenches as allowed by local plumbing codes. Dishwashers may in some instances also be connected to a grease interceptor as allowed by local plumbing codes. A grease interceptor reduces the amount of FOG in wastewater prior to its discharge into the POTW and may be a gravity-flow grease interceptor located underground or a hydromechanical grease interceptor located within a building.

(Ord. No. 4199; 11-25-14; Ord. No. 4263, 6-28-16)

Sec. 28.303. USE OF RATE REVENUE.

The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance, including replacement, and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance, including replacement of the treatment works, shall be established by this ordinance.

That portion of the total user charge collected which is designated for operation and maintenance, including replacement, shall be deposited in a separate non-lapsing fund known as the WPC Operation, Maintenance and Replacement Fund.

Fiscal year-end balances in the operation, maintenance, and replacement fund shall be used for no other purposes than those designated. Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance, and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance, and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within six months of the fiscal year in which the monies were borrowed.

(Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92)

Sec. 28.304. SEWER RATES ESTABLISHED.

(1) Each user shall pay for the services provided by the City based on its use of the treatment works as determined by water meter readings or other appropriate methods acceptable to the City.

(Ord. 4199, 11-25-14)

(2) For all users, monthly user charges shall be based on actual water usage, except where a practical method of wastewater measurement is available. If a user has a consumptive use of water, or in some other manner uses water which is not discharged into the wastewater collection system, the user charge for that contributor may be based on readings of a wastewater meter(s) or separate water meter(s) installed and maintained at the user's expense and in a manner acceptable to the City.

(3) For each monthly billing on or after July 1, 2015, each customer shall be charged a minimum monthly charge. The minimum charge for each location shall be ten dollars and seventy-one cents (\$10.71). The minimum monthly charge may be prorated, based on a 30-day billing period, for the customer's initial and/or final bills, provided that in no case shall the prorated minimum monthly charge be less than four dollars and twelve cents (\$4.12). In addition, for all water metered beginning with the first cubic foot each month, each user shall pay two dollars and seventy-four cents (\$2.74) per 100 cubic feet.

(Ord. No. 3168, Sec. 1, 4-28-92; Ord. No. 3326, Sec. 2, 5-9-95; Ord. No. 3834, 5-24-05; Ord. No. 3956, 06-10-08; Ord. No. 4037, 5-11-10; Ord. No. 4144, 5-14-13; Ord. No. 4814, 5-27-14; Ord. No. 4215, 5-12-15)

(4) For those users whose wastewater has a greater strength than maximum normal domestic wastewater, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance, including replacement is listed in Appendix Q.

(Ord. No. 3526, 6-22-99; Ord. No. 3919, 06-12-07)

(5) (a) The City shall determine which users have wastewater discharges with strengths greater than maximum normal domestic wastewater. All costs associated with surcharge sampling or evaluation will be

assessed to the user. Based upon this initial determination, the City shall notify the user of the surcharge rate to be charged each month during the next six months or until the next time the surcharge rate is calculated.

(b) Any user so identified by the City shall provide for the analysis of at least three successive composite samples for each discharge point. The samples shall be analyzed for pH, COD (or CBOD₅), TSS, and TKN (or NH₃). The user may request that the city laboratory staff provide this service at cost. Samples taken for facilities with less than two years of historical data containing surcharge parameter analyses must be collected in as close a time frame as possible. Samples collected for other purposes, containing the required information, may be used. When requested by the user, on a case-by-case basis, the City may allow the use of a single composite sample for the purpose of determining a monthly surcharge rate.

(c) Any user may have more samples analyzed than required. The additional data may be used to modify or revise the surcharge rate as appropriate; however, the surcharge rate will not be revised more frequently than once every six months unless significant process changes have occurred. All costs for the additional sampling shall be the responsibility of the user.

(d) All sample collection and analytical work shall be done by competent individuals or firms regularly involved in wastewater collection and analysis. All samples and analyses shall comply with the procedures specified in 40 Code of Federal Regulations (hereinafter referred to as CFR) 136. Any data sets which do not meet this requirement shall be rejected.

(Ord. No. 3526, 6-22-99)

(6) Any user who discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the biosolids from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment work, shall pay for such increased costs. The charge to each such user shall be as determined by the Director of the Water and Pollution Control Department.

(Ord. No. 3526, 6-22-99)

(7) The City will review the user charge system at least every three years and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users.

The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance including replacement of the treatment works.

(Ord. No. 3526, 6-22-99)

(8) (a) Where a customer wishes to use water for watering a lawn or garden, filling a swimming pool, or for existing single-pass air conditioning or other such use and that water does not reach the sanitary sewer system, the customer may at his option apply for and have installed a 'yard meter'.

(b) A 'yard meter' is defined as a second water meter or sub-meter on the premises installed downstream of the first or master water meter. It will be so placed as to meter outdoor water use described above which does not reach the sanitary sewer system. The 'yard meter' shall have a remote reading register outdoors as required for the master water meter.

(c) The full cost of the 'yard meter' and any associated plumbing changes shall be the responsibility of the customer. The 'yard meter' shall be furnished and owned by the City and so located as to be easily accessible at all times. Maintenance and replacement of the 'yard meter' shall be governed by the same requirements applying to all other water meters owned by the City.

(d) The sewer service charge will be billed only on the difference between the water meter reading and the yard meter reading.

(Ord. No. 3326, Sec. 2, 5-9-95; Ord. No. 4199, 11-25-14; Ord. No. 4263, 6-28-16)

(9) Where a "yard meter" is not installed, but it appears in any month that more than one thousand (1,000) cubic feet of water was used in a way that the water did not reach the sanitary sewer, that amount of water shall be exempt from the sewer rate on application to the City Manager or the City Manager's designee. The total exemption allowed under this provision shall be granted over no more than two consecutive billing periods.

(Ord. No. 3950, 05-13-08; Ord. No. 4003, 08-11-09)

(10) The user charge ordinance shall take precedence over any terms or conditions of agreements of contracts which are inconsistent with the requirements of Section 204(b)(1)(A) of the Federal Water/Pollution Control Act and 40 CFR Part 35 dated February 17, 1984.

(Ord. No. 2714, Sec. 2, 4-24-79; Ord. No. 2894, Sec. 1, 5-26-84; Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3013, Sec. 1, 6-14-88; Ord. No. 3049, Sec. 1, 5-23-89; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92, Ord. No. 3648, 2-12-02)

(11) For those users which operate Food Service Establishments licensed by the State of Iowa, a Restaurant Surcharge, Restaurant Fee, or High-Strength Surcharge Rate, in addition to the normal user charge, shall be collected. The Restaurant Surcharge, Restaurant Fee, and High-Strength Surcharge Rate shall be listed in Appendix Q.

(a) Users which are billed for sewer usage shall be assessed the Restaurant Surcharge.

(b) Users which are not billed for sewer usage or whose sewer usage is not representative of the facility's food service activities shall be assessed the Restaurant Fee.

(c) Users whose sanitary sewer discharge flows through an outfall monitored by the City of Ames Industrial Waste Pretreatment Program shall be assessed a High-Strength Surcharge Rate that includes the surcharge for Oil and Grease as calculated based on their sampling results.

(Ord. 4199, 11-25-d14; Ord. No. 4263, 6-28-16)

(12) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye or pigment wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent.

Sec. 28.305. SEWER SERVICE, CONNECTION CHARGE.

There is established hereby, as a fee for connection to the sanitary sewer main, such charge as the City Council shall by resolution set for the property served by and adjacent to the main, provided that no sanitary sewer utility special assessment has been made previously with respect to said adjacent property and the sanitary sewer was financed with funds of the city.

(Ord. No. 2928, Sec. 1, 7-2-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3204, Sec. 1, 12-8-92; Ord. No. 3209, Sec. 1, 12-8-92; Ord. No. 3565, 5-23-00)

Sec. 28.305(A). OWNERSHIP AND REPAIR, SANITARY SEWER LATERAL

All service connections with the City sewage collection system beginning at the sewer main and extending to the building or structure, including the wye connection at the sewer main, shall be installed and maintained at the expense of the property to be served. Ownership of the entire service connection remains with the property.

(a) Whenever any part of the sewer lateral between the main and the building or structure develops a leak or otherwise becomes out of repair, it shall be the duty of the property owner to repair the defect.

(b) Any repairs or replacement shall be made with approved materials.

(c) The Administrative Authority may require the complete replacement in lieu of allowing a repair to damaged sewer laterals made of non-approved materials if it is determined that the condition of the service line presents safety or sanitary concerns.

(d) To prevent or reduce damage to public or private property, the City Manager or his designee shall, if the owner or consumer does not act to correct the defect within 14 calendar days after notice, cause the discontinuance of sewer service to the premises. The City Manager is authorized to discontinue service or repair service damage without prior notice to the property owner or tenant in emergency situations to prevent service interruption, damages, or injury to others. Any costs incurred by the City for excavation and replacement, and repair of damages to property caused by such, shall be charged to the owner and may be assessed as a lien against the property as provided in Sections 384.62 and 364.12 Code of Iowa.

Sec. 28.306. GENERAL PROHIBITIONS FOR WASTE DISPOSAL IN THE SEWER.

No utility customer shall place, throw, dump, empty or deposit into the municipal sewerage system any of the following:

(1) Any liquid, solid or gases which may cause fire or explosion either alone or in combination with other substances, or any wastestreams with a closed cup flashpoint of less than 140°F using the methods in 40 CFR 261.21.

(2) Solid or viscous substances which may cause obstruction to the flow in the sewer or other interference with the operation of the treatment facility;

(3) Any wastewater which has a pH less than 6.0 or higher than 10;

(4) Any wastewater containing anything in liquid, solid or vapor form, in sufficient quantity, either singly or in combination, to inhibit or interfere with any wastewater treatment or biosolids disposal process, constitute a hazard to humans or animals, create toxic gases, vapors or fumes that may cause acute worker health and/or safety problems, create a toxic effect in the receiving stream, or by "pass through" exceed any standard set by the Iowa Department of Natural Resources or the U.S. Environmental Protection Agency.

(Ord. No. 3526, 6-22-99)

(5) Any substance which either singly or in combination is sufficient to create a public nuisance or hazard to life or interferes with the possible reclamation or reuse of the wastewater or biosolids.

(Ord. No. 3526, 6-22-99)

(6) Any trucked or hauled pollutants, except at discharge points designated by the City when delivered by licensed haulers.

(7) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

(8) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW exceeds 40°C (104°F).

(9) Any pollutant, including oxygen demanding pollutants (BOD, etc) released in a discharge at a flow rate and/or concentration which will cause interference with the POTW.

(10) Any wastewater which the Director of the Water and Pollution Control Department determines to be unacceptable based on a case-by-case analysis.

Any violation of this section is a municipal infraction.

(Ord. No. 3003, Sec. 38, 2-23-88; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92)

(11) Any additive or emulsifier designed for the purpose of reducing the accumulation of Fats, Oils, and Grease in plumbing, grease interceptor equipment, or the POTW, except those additives or emulsifiers that have been approved for such use by the Director of Water and Pollution Control.

(Ord. No. 4199, 11-25-14; Ord. No. 4263, 6-28-16)

Sec. 28.307. INDUSTRIAL PRETREATMENT REQUIREMENTS.

All discharges of wastewater, gases, or solids which are not similar to domestic sewage shall meet the following pretreatment requirements.

(1) City of Ames Industrial Pretreatment Program as adopted and amended from time to time by city council resolution.

(2) This section adopts by reference the following sections of the General Pretreatment Regulations for Existing and New Sources of Pollution promulgated by the United States Environmental Protection Agency, 40 Code of Federal Regulations, Chapter I, Part 403 as published through July 1, 1989 as amended through October 22, 2015 as the City's pretreatment regulations. These sections included 403.2, 403.3, 403.4, 403.5, 403.6, 403.7, 403.8, 403.12, 403.15, 403.16 and 403.17.

(Ord. No. 2857, Sec. 1, 8-30-83)

(a) This section adopts by reference the categorical pretreatment standards set out in 40 CFR 405-471.

(b) This section adopts by reference the testing procedures for wastewater analysis set out in 40 CFR 136.

(c) This section adopts by reference sections 307(b) and (c) and 402(b)(8) of the Federal Water/Pollution Control Act as amended through July 1, 1990.

(3) Any industrial, commercial or other utility customer which discharges any wastewater, industrial waste or other waste to the municipal sanitary sewer system shall comply with all regulations or requirements of the Iowa Department of Natural Resources and/or the U.S. Environmental Protection Agency. Where regulations have not been set by those agencies, the Director of Water and Pollution Control shall establish pretreatment requirements to obtain the following objectives:

(a) To prevent the introduction of pollutants which will interfere with the treatment plant operation or contaminate the resulting biosolids;

(b) To prevent the introduction of pollutants which will pass through the system, inadequately treated, into the receiving waters or the atmosphere or otherwise be incompatible with the system; and

(c) To improve the opportunity to recycle and reclaim wastewaters and biosolids from the system.

(Ord. No. 3526, 6-22-99)

(4) Any costs for pretreatment flow measuring, or monitoring facilities or analytical systems or tests to meet the pretreatment regulations shall be the responsibility of the customer.

(5) Any cost to the city including increased operation or maintenance expenditures or fines levied by the State or Federal agencies which result from the discharge from any utility customer shall be assessed to that customer. In the event more than one utility customer is responsible, the cost shall be prorated among those responsible.

(6) No utility customer may expand their process or operation if that expansion results in a discharge which exceeds any limitation established for their discharge or results in the discharge of some other substance which will violate any provision of the pretreatment regulations unless their plans for expansion are approved by the Director of Water and Pollution Control at least 6 months prior to the planned expansion.

(7) All users who are significant or minor industrial users as defined in the revised Ames Industrial Pretreatment Program shall have obtained a permit from the city pursuant to said program before discharging non-domestic wastewaters. Any contributor now discharging pursuant to a contract shall be issued a permit within six (6) months of approval of the revised Ames Industrial Pretreatment Program.

(8) Failure to meet the standards and requirements of this section or of section 28.306 shall be a municipal infraction punishable by a penalty of up to \$1,000 for the first and each subsequent violation. Each occurrence of prohibited discharge is a violation. The Director of the Water and Pollution Control Department shall be the City Manager's designee to administer and enforce the provisions of Sec. 28.306 and 28.307, which shall include the authority to conduct related inspections, surveillance and monitoring; and to terminate city sewer service for non-compliance with the City Code.

(Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92; Ord. No. 3526, 6-22-99)

Sec. 28.308 FATS, OILS, AND GREASE CONTROL PROGRAM.

The purpose of this section shall be to aid in the prevention of sanitary sewer blockages and obstructions from contribution and accumulation of Fats, Oils, and Grease (FOG) into the POTW. Such discharges from commercial kitchens, restaurants, and all other food service establishments, where FOG of vegetable or animal origin is discharged directly or indirectly into the POTW, can contribute to line blockages and/or spills in violation of Title 40, Code of Federal Regulations 40 CFR, Part 403, as it may be amended from time to time.

(1) Any customer which operates a Food Service Establishment or Mobile Food Unit licensed by the state of Iowa, and which is connected to the City's Treatment Works, shall be subject to the FOG Control Program.

(2) Any costs for compliance with the regulations set forth in the FOG Control Program shall be the responsibility of the customer.

(3) FSEs subject to the FOG Control Program may apply for exemption from the Restaurant Surcharge/Restaurant Fee. Exemptions shall utilize evidence gathered in the preceding six (6) month period to determine whether an FSE is exempt from the Restaurant Surcharge/Restaurant Fee for sewer bills mailed during the following six (6) month period. Exemption periods shall be from January to June and from July to December.

(4) The use of any additive into a grease interceptor, grease trap, or other on-premise plumbing for the purpose of "treating" FOG shall be prohibited unless prior approval is granted by the Director of Water and Pollution Control.

(a) FSE's who wish to use any additives must submit a request in writing. Each site wishing to use a product must obtain separate approval. Approval is not granted to use any product unless and until written approval is granted by the City.

(b) A Safety Data Sheet (SDS) must be submitted to the Director for approval of the product. The SDS, or other information submitted, must identify all active and inactive ingredients of the products. Materials that include "confidential" or "proprietary" components will not be approved.

(c) To be approved, products must be composed of non-emulsifying active biological additives designed to decompose the grease in the grease trap or grease interceptor.

(i) Products that serve to simply "disperse" FOG, or that act by allowing FOG to be more easily discharged from FOG control devices will not be approved.

(ii) Examples of products that are not approved are those that include, but are not limited to, the following types of components:

(a) Enzymes

(b) Solvents

(c) Surfactants

(d) Dispersants

(e) Other products that act on grease "chemically" as opposed to "biologically"

(f) Other components that are deemed to be otherwise incompatible with the purpose of the FOG Control Program or the municipal sewerage system as described in Section 28.306.

(d) Approval of a product may be revoked by the Director if pass-through of FOG or other problems in the collection system of treatment plant occurs.

(e) Aeration, agitation, or stirring of grease traps or grease interceptors shall not occur at any time.

(f) Approval of any additive shall not be construed as approval to modify any plumbing. Any changes or modifications necessary shall be conditioned upon receipt of a plumbing permit from the City.

(g) Approval of any additive shall not be construed as an endorsement by the City of the effectiveness of the product. The FSE assumes all responsibility for the performance and effectiveness of the product.

(h) Servicing frequencies for grease control equipment must still comply with the other requirements of this ordinance.

(i) Should the make-up or composition of any approved product change, a new approval must be granted by the Director.

(5) The Director of Water and Pollution Control, or designee, may exempt an FSE from the Restaurant Surcharge/Restaurant Fee for a six (6) month period if one of the following criteria is met during the preceding six (6) month period:

(a) Submission of records of grease interceptor cleanings occurring in the previous six (6) months. If a grease interceptor is not cleaned during the previous six (6) months, the reason(s) for this must be submitted to and approved by the Director of Water and Pollution Control or designee. Such records shall include the following information:

(i) The name and employer of the individual performing the grease interceptor cleaning(s).

(ii) The date(s) on which grease was removed from each grease interceptor controlled by the customer.

(iii) The quantity of grease removed during each cleaning.

(a) In the case of a gravity-flow grease interceptor, the quantity of grease shall be calculated by comparing the depth of the floating fats, oils, and grease, plus the depth of the accumulated solids, and dividing that depth by the total depth of the unit (the design liquid level), expressed as a percentage. The measurements shall be taken in the compartment nearest the inlet of a multi-compartment grease interceptor and in the interceptor immediately preceding connection to the sanitary sewer when more than one interceptor is installed in series, and in all interceptors when more than once interceptor is installed in parallel. In instances where an interceptor requires cleaning multiple times during the six (6) month review period, records shall be submitted for each cleanout. The owner or operator of the FSE shall require the grease interceptor to be cleaned when FOG and solids reach 25% or less of the design liquid level of the grease interceptor. When multiple cleanouts are required during a review period, the level of FOG and solids from each cleanout shall average 25% or less and no single instance shall equal or exceed 35%.

(b) In the case of a hydromechanical grease interceptor, the quantity of grease shall be calculated by comparing the depth of the floating fats, oils, and grease, plus the depth of the accumulated solids, and dividing that depth by the total depth of the unit (the design liquid level), expressed as a percentage. The measurements shall be taken in the compartment nearest the inlet of a multi-compartment grease interceptor, in the interceptor immediately preceding connection to the sanitary sewer when more than one interceptor is installed in series, and in all interceptors when more than once interceptor is installed in parallel. In instances where an interceptor requires cleaning multiple times during the six (6) month review period, records shall be submitted for each cleanout. The owner or operator of the FSE shall require the grease interceptor to be cleaned when FOG and solids reach 25% or less of the design liquid level of the grease interceptor. When multiple cleanouts are required during a review period, the level of FOG and solids from each cleanout shall average 25% or less and no single instance shall equal or exceed 35%. In situations where a hydromechanical grease interceptor is not able to be measured prior to cleanout, it shall be required that the interceptor be cleaned on a monthly basis.

(iv) Verification that the place of disposal of hauled grease is a facility designed for such a purpose and is licensed or certified in accordance with local, state, and federal regulations, as appropriate.

(v) Verification that the method of transporting hauled grease is appropriate for such a purpose and complies with local, state, and federal regulations, as appropriate.

(vi) Verification that any grease interceptor from which grease is removed is inspected and found to be in proper working order. This inspection shall include verification that the sanitary “tees” on the inlet and outlet sides of the grease interceptor are not obstructed, loose, or missing, verification that any baffles are secure and in place, verification that no cracks or defects in the tank are present, and verification that lids are securely and properly seated following completion of the cleaning. If any component of the grease interceptor is not in proper working order, records shall indicate what defect(s) exist and when, how, and by whom such defect(s) are remedied.

(b) Submission of a laboratory test to determine the oil and grease content of typical wastewater discharge. Such tests shall be conducted by a laboratory certified by the State of Iowa to test oil and grease under the procedures specified in Chapter 567.83 of the Iowa Administrative Code. Laboratory tests shall conform to the following conditions:

(i) The sample shall be obtained by use of a “grab sampling” method, in which the sample flask is held under a free-flowing outfall of water from a sampling port designed for such uses.

(ii) Staff of the Water Pollution Control Department shall select the date and time during which a sample may be obtained, the timing of which shall be selected to coincide with a peak customer demand.

(iii) The sample shall not exceed 300 mg/L oil and grease.

(iv) The FSE shall also be required to meet the same requirements as defined in Sec. 28.308(5)(a).

(c) Submission of kitchen Best Management Practices records that detail the grease control activities in the FSE. Such records shall be spot-checked for compliance by the Water and Pollution Control Department staff. The records shall at all times be kept and maintained on a day-to-day basis, and records shall be kept secure at the premises of the FSE for a continuous period of at least three years. The records shall document the following activities:

(i) Each cleaning of the FSE's grease interceptor(s). The FSE shall be required to meet the same requirements as are defined in Sec. 28.308(5)(a).

(ii) Training held for the FSE's staff regarding practices that will reduce the introduction of FOG into the sanitary sewer.

(iii) Self-inspection for presence and proper use of drain screens, clean and grease-free nature of exhaust hood equipment, and presence of spill clean-up kits, warning signage over sinks regarding FOG practices, and informational posters regarding FOG.

(iv) Records of the date, time, quantity, and location of introduction of any additive. A copy of the approval granted by the Water and Pollution Control Department shall be kept with the logbook.

(v) Any other activities undertaken by the FSE's staff to prevent or mitigate the introduction of FOG into the Treatment Works or into the environment.

(6) (a) Cleaning of a hydromechanical grease interceptor may be performed by food service establishment staff. Documentation of any cleaning must include all information required for compliance with the FOG Control Program.

(b) Cleaning of a gravity-flow grease interceptor must be performed by a contractor that specializes in the disposal of restaurant grease.

(7) The Director of Water and Pollution Control may, upon finding evidence of accumulated FOG in the Treatment Works, authorize an inspection of any FSE that may reasonably be believed to have introduced that accumulation of FOG. Such inspection may occur at any reasonable time and without prior notification. Inspections shall be limited to the equipment and practices related to the introduction of FOG and waste water into the Treatment Works. The FSE shall allow the individual performing this inspection, bearing proper credentials and identification, to enter upon or into the building, facility, or property housing the FSE for the purpose of inspection, observation, measurement, sampling, testing, or record review. Upon request of the individual performing the inspection, the FSE shall open any grease interceptor for the purpose of confirming that maintenance frequency is appropriate, that all necessary parts of the installation are in place, and that all grease interceptors and related equipment and piping are maintained in efficient operating condition. Inspections may be undertaken as many times as necessary to identify the source of FOG entering the Treatment Works.

(Ord. 4199, 11-25-14; Ord. No. 4263, 6-28-16)

(8) Submission of incomplete records or failure to submit records as described in Sec. 28.308(5)(a-c) shall constitute a violation of Sec 28.306(2). Violators are subject to a municipal infraction and recovery costs as described in Appendix N.

DIVISION IV
UTILITY RETIREMENT SYSTEM

Sec. 28.401. UTILITY RETIREMENT SYSTEM ESTABLISHED.

There shall be and is hereby established a retirement system which shall be known as the Ames Municipal Utility Retirement System.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.402. PLAN AND RULES, UTILITY RETIREMENT SYSTEM.

(1) The Ames Municipal Utility Retirement System shall cease to be a defined benefit system as of 12:01 A.M. September 30, 1997 and shall become a defined contribution plan as of 12:01 A.M. September 30, 1997, the defined contribution plan to be as stated in such plan, rules, and trust agreement as the City Council shall approve, adopt, amend, or replace by resolution from time to time.

(2) The assets of the discontinued defined benefit system shall be allocated and distributed in accordance with such resolution as shall be enacted for that purpose by the Ames City Council.

(Ord. No. 2321, Sec. 2, 12-2-69; Ord. No. 2446, Sec. 1, 6-26-73; Ord. No. 2487, Sections 1, 2, 9-17-74; Ord. No. 2494, Sec. 2, 12-17-74; Ord. No. 2546, Sec. 2, 5-18-76; Ord. No. 2765, Sec. 1, 12-16-80; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3327, Sec. 1, 6-13-95; Ord. No. 3458, Sec. 2, 8-26-97)

Sec. 28.403. PARTICIPANT REVIEW BOARD.

(1) There is hereby established an eleven member board to monitor, review, and evaluate on a continuing basis, the performance of the Ames Municipal Utility Retirement Plan, which Board shall make a written report of its findings and recommendations to the City Council not less often than once each fiscal year.

(2) The board shall be selected as follows:

- (a) one elected from among participants employed for the city water utility;
 - (b) one elected from among participants employed as water pollution control employees;
 - (c) one elected from among participants employed as electric distribution work center employees;
 - (d) one elected from among participants employed for the power plant;
 - (e) one elected from among participants employed for electric administration (which shall include the City Clerk, City Manager, inspection personnel and other non-finance administrative personnel that are participants in the plan);
 - (f) one elected from among participants employed for the City Finance department;
 - (g) one elected from among participants who are retirees
 - (h) the Director of Finance for the City; and
 - (i) City Treasurer;
- (Ord. No. 3661, 4-23-02; Ord. No. 3897, 12-12-06)*

(3) The term of office for the elected members of the board shall be three years. The term for the council members shall be four years. Members may be reappointed or re-elected. Terms of office begin and end on the first day of April. Special elections will be held as soon as practicable to fill vacancies in elected positions.

(4) The board shall establish its own rules with respect to voting and other meeting procedures consistent with the Iowa Open Meetings Law.

(Ord. No. 2321, Sec. 2, 12-2-69; Ord. No. 2446, Sec. 1, 6-26-73, Ord. No. 2494, Sec. 2, 12-17-74; Ord. No. 3102, Sec. 1, 10-23-90; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3458, Sec. 2, 8-26-97; Ord. No. 3563, 5-9-00)

DIVISION V
UTILITIES GENERALLY

Sec. 28.501. UNAUTHORIZED ALTERATION OF LINES AND METERS, BYPASSING.

(1) It is unlawful for any person to interfere with, tamper with, alter or bypass any electric, water or gas meter installed for any utility in the city; or interfere with, tamper with or alter any lines, pipes or conduits installed by any utility in the City, without the express or implied authorization of such utility.

(Ord. No. 812, Sec. 58; Code 1956, Sec. 76-58; Ord. No. 3003, Sec. 39, 2-23-88; Ord. No. 3199, Sec. 1, 9-24-92)

(2) For rural water accounts, no person shall interfere with, tamper with, alter, or bypass any water meters, lines, pipes, or conduits installed or owned by the City of Ames outside of the Ames corporate limits without express authorization of the City. No change, modification, replacement, or other alteration shall occur to the service line from the main through the outlet of the backflow prevention device without the express approval of the City.

(Ord. No. 4010, 09-22-09)

(3) Any expense to any municipal utility incurred as a result of unauthorized relocation, alteration, or tampering of any metering device or system, or otherwise requires the municipal utility to take action to restore the proper operation of the metering device or system, shall be billed to the utility customer of record for the property.

- (a) Expenses to be recouped may include: labor (including benefits), equipment, materials, and such other direct costs as may be identified by the municipal utility.
- (b) Should the expense be incurred in a location where there is no utility customer of record, the expense shall be billed to the person or party determined to be responsible for such relocation, alteration, or tampering.
- (c) These charges are separate and distinct from any other fees, charges, or fines that may be imposed.

Sec. 28.502. RESODDING.

(1) Any municipal or public utility excavating across a grassed, sodded or turfed street parking, or an established lawn, or through or across a grassed, sodded or turfed area of a public or private park shall resod rather than reseed the disturbed area.

(Ord. No. 2305, Sec. 1, 9-2-69; Ord. No. 2679, Sec. 1, 9-26-78; Ord. No. 3199, Sec. 1, 9-24-92)

(2) A property owner excavating or causing excavation in the lawn or the parking of a neighboring residence in a developed residential area, for the purpose of installing or repairing a utility line within a public easement, shall resod the disturbed area.

(Ord. No. 2396, Sec. 1, 4-18-72; Ord. No. 3199, Sec. 1, 9-24-92)

(3) Upon complaint of failure of the responsible party to resod a disturbed area as required herein, and after ten days notice and opportunity for hearing before the city manager, the city shall do the resodding and assess the costs to the responsible party.

(Ord. No. 2955, Sec. 1, 6-3-86; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.503. MUNICIPAL UTILITY SERVICE CONNECTIONS OUTSIDE CITY.

(1) No person shall make an initial service connection to any municipal utility for any building or property outside the corporate limits of the city without the express written authorization of the Ames City Manager.

(2) The city manager shall authorize such connections only in accordance with the laws of the State of Iowa and the regulations of the Iowa Commerce Commission. The city manager may require any reasonable special condition for such connection deemed necessary to insure compliance with the policies, procedures and development plans of the municipal utilities.

(3) No initial sewer service connections shall be allowed into the Skunk River Valley Interceptor, trunk sewers or Site 5 treatment plant from structures located in the flood plain of the Skunk River south of U.S. Highway 30.

(Ord. No. 2955, Sec. 1, 6-3-86; Ord. No. 3199, Sec. 1, 9-24-92)

(a) For properties outside the corporate limits where the City has previously denied a rural water association or district the right to serve the property, the City will provide service within four years of the rural water denial in accordance with Iowa Code § 357A.2 and § 364.4

(Ord. No. 4010, 09-22-09)

Sec. 28.504. METER MAINTENANCE, METER READING, AND ESTIMATED BILLING.

(1) Access to any water meter, yard meter, or wastewater flow measuring device for maintenance, repair, replacement, or testing is essential to ensure accuracy and reliability of the metering device so that bills and charges are properly determined. When requested by the Water and Pollution Control Department, each customer shall arrange for access to the metering device(s) at their location within four (4) months from the date of the city's first request.

(2) Reading of all water meters, yard meters, wastewater flow measuring devices, or remote registering devices used for determining charges to customers shall be scheduled by the City on a monthly basis. An effort shall be made by the City to obtain use data/readings on corresponding days each month. In the event access to the metering device(s) cannot be achieved, the City shall render a monthly bill based on the City's estimate of usage. However, each customer shall allow for or arrange access to the metering device(s) at their location at least once every six (6) months. The City may allow the customer to read and report use data from metering devices(s) at their location. Customers desiring to read their own meters should contact the Utility Customer Service office. A packet of five (5) cards may be obtained. These cards will be predated to correspond to monthly billing dates and shall be submitted monthly at the customer's own expense. Prior to providing each five (5) card packet to any customer, city personnel shall be allowed into the premises to obtain readings for all metering devices.

(3) Failure to arrange for and/or allow access, as described above, shall be cause for termination of service following notice and opportunity for a hearing of the city manager.

(Ord. No. 3326, Sec. 3, 5-9-95)."

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor