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75.01.010 - Short title; policy.

(a) *Title.* Sections 75.10.010 through 75.10.220 shall be known as "The City and Borough of Juneau Water Utility Code" and may be so cited.

(b) *Water utility policy.* The City and Borough shall furnish water service through a municipal water system as provided herein. The City and Borough shall not be obligated to furnish water service nor to go upon or across any private property in order to furnish water service. Service will be provided on as equitable a basis as possible with each new property being connected to the system sharing the cost of the system.

(Serial No. 87-40, § 2, 1987)

75.01.020 - Definitions.

The following words, terms and phrases when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means a person, firm, or corporation or agent for any individual, firm, or corporation or agent for any individual, firm, or corporation applying for water service.

Assembly means the assembly of the City and Borough.

Bulk water service means a customer class for private, commercial, government, and non-profit

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business customers not permanently connected to the water system that utilize water intermittently. The base rate is the charge for the first 4,000 gallons, or fraction thereof, per purchase. The volume charge is the charge for each 1,000-gallon increment, or fraction thereof, beyond the first 4,000 gallons.

City and Borough means the City and Borough of Juneau, Alaska, a municipal corporation.

Customer means a person, firm, or corporation receiving water service from the water department.

Customer line means the pipe, valve and fittings leading from the right-of-way and into the premises served, but not including the meter.

Flat commercial service means a customer class for commercial, government, and non-profit business customers that do not utilize water in excess of 4,000 gallons in any month.

Flat residential service means a customer class for single-family dwellings, and each unit within a mobile home park.

Large commercial service means a customer class for commercial, government, or non-profit business customers that utilize water in excess of 500,000 gallons in any month.

Meter means the water meter, its enclosure, valves, and related appurtenances.

Metered commercial service means a customer class for commercial, government, or non-profit business customers that utilize water in excess of 4,000 gallons in any month.

Metered residential service means a customer class for single-family dwellings with accessory apartments, duplex dwellings, bed and breakfast businesses, and multi-family residential buildings with three or more dwelling units.

Person means and includes any natural person, firm, copartnership, association, or corporation whether acting on his, her, or its own behalf or as the clerk, servant, employee, or agent of another; and the singular number shall include plural and plural the singular.

Service line means the pipe, valves, and fittings laid from the main to the right-of-way line and includes the meter.

Utility means and designates the water department of the City and Borough, acting through its duly elected and appointed officials.

Water main and *main* mean the pipe, usually two inches inside diameter or larger diameter, laid in a street, road, or alley and running approximately parallel to the street, road, or alley for the distribution of water to the customers through the service line.

(JCC § 3-2-2; Serial No. 2003-43am, § 2, 10-13-2003)

Cross reference— Definitions generally, CBJ Code § 01.15.010.

75.01.030 - Application for service.

(a) *Existing service.* The utility will require each prospective customer to sign an application for water service and to pay a service connection charge, or turn-on fee. Application must be made in writing on a standard form at the office of the city treasurer. The application is merely a written request for service and does not bind the utility to serve. The application shall set forth:

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- (1) Date of application;
- (2) Signature of applicant;
- (3) Location of premises;
- (4) Address to which bills shall be mailed or delivered;
- (5) Such information as the utility may require to determine the size of service or such other information as may reasonably be required, including the purpose for which service is to be used.

(b) *New service.* A person desiring water service whose property is not connected to the water system shall apply on forms supplied by the City and Borough engineer. The manager shall compute the appropriate fees and all fees, assessments, and charges not authorized to be paid at a later date or otherwise deferred shall be paid prior to approval of the application by the engineer.

(c) *Inspections.* The engineer may, upon customer request and as resources permit, inspect the customer's private water line. Inspections during normal municipal working hours shall be charged as part of the connection fee levied pursuant to section 75.01.040. Inspections outside normal municipal working hours shall be subject to an additional charge equal to the difference between the connection fee and the total overtime rate of all municipal employees providing inspection services at the customer's water line.

(Serial No. 87-40, § 3, 1987; Serial No. 93-27, § 2, 1993)

75.01.040 - Service connections.

(a) *Connection and extension charges.* At the time the applicant applies for water service to property not previously connected to the municipal water system, a service connection charge will be required. This charge will cover the cost of the utility to install the service from the main to the right-of-way line, including a meter or other appurtenances as required by the public works department. Where service is already established, a turn-on fee will be required. The water service connection charge and any other fees shall be a lien against the property served in the same manner and to the same extent as a lien for special assessments and shall be enforced in the same manner provided for special assessment liens.

(1) *Ordinary demand.* Every applicant for new water service to property which abuts a water main shall pay, for each connection requested, the following charges which cover the cost to the municipality of making the connection, installing a water meter, if required, as well as a portion of the connecting property's costs of the plant necessary to produce and deliver domestic use water, but not fire protection use water, to the property. The service connection charge shall be as follows:

(A)	Single-family residences regardless of diameter	\$750.00
(B)	¾ inch diameter	\$750.00
(C)	One-inch diameter service and larger	\$1,500.00 plus \$750.00 for each one-half inch over one inch, rounded up to the nearest one-half

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)		inch.
(Lines sized for sprinkler service	The greater of \$750.00 or the actual cost of the connection, including any meter and remote readout.
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(2) *Extraordinary demand.* If, in the determination of the manager, the person, including a subdivider or developer, applying for service will place an extraordinary demand on the system because of peculiar requirements, the size of the demand, the location of the applicant, or other reasons, and such demand requires an enlargement or modification of the water system, the applicant shall pay an off-site service connection charge equal to the additional costs estimated by the engineer for such enlargement or modification to the system. The applicant shall deposit such amount prior to approval of the application. If the actual cost is more or less than the amount deposited, the excess shall be refunded or the deficiency shall be paid by the applicant within 30 days of notice of the additional amount due. In lieu of paying to the City and Borough the amount required for system enlargement or modification, the manager may permit the applicant to accomplish the required work on the water system at the expense of the applicant; provided, in such a case, the expenses of the City and Borough in connection with the work, such as design, inspection, materials supplied, and other expenses borne by the municipality, as a part of the expansion, shall be paid by the applicant. If the applicant must pay an extraordinary demand service connection charge, the off-site service connection charge shall be the greater of the extraordinary demand service connection charge estimate plus the actual cost of connection or the ordinary demand service connection charge.

(3) *Extended payment.* The service connection charge made for a connection may be paid over a five-year period at the same time as real property taxes; provided, the service connection charge for a three-quarter-inch connection shall be \$800.00, the service connection charge for a one-inch diameter or larger service shall be \$1,600.00 plus \$800.00 for each one-half-inch over one inch, and the service connection charge for lines sized for sprinkler service shall be the greater of \$800.00 or the actual cost of the connection, including any meter and remote readout. The amount due shall be a liability of the property and shall be payable after being billed to the property owner on a real property tax bill. A penalty equal to the penalty assessed for late payment of taxes shall be charged for late payments of the off-site service connection charge.

(b) *Size of service.* The utility will furnish and install a service of such size at such locations as the applicant requests, provided such requests are reasonable and that the size requested is one that is listed by the utility. The minimum size service line shall be three-fourths inch.

(c) *Installation and maintenance.* The installation and maintenance of service connections shall be performed only by persons duly authorized by the manager.

(d) *Joint service lines.* The utility may, at its option, serve two or more premises with one service connection. On new service connections, the inside diameter of such joint line shall be such that its carrying capacity shall not be less than the combined capacity of equivalent three-fourths inch service lines to each of the premises.

(e) *Turn-on and turn-off fee.*

(1) Except for the initial turn-on that occurs when property is first connected to the municipal water system, each customer or applicant for service shall pay a fee of \$25.00 for turning on or

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turning off the water service to the property. The fee shall be paid for each turn-on and turn-off whether at the customer's or applicant's request or due to nonpayment for water services. If a lien has been recorded, the water service to a property may not be turned on unless all service connection charges, other charges, and fees due and payable under this or any other ordinance, resolution, or agreement pertaining to the installation of the water system or the provision of water service have been paid without regard to the ownership of the property at the time such service connection charges, other charges, and fees arose. Payment of assessments, charges or fees by a person other than the person who owned the property at the time the assessments, charges or fees arose constitutes an assignment by the City and Borough to the collection of such amounts from the person who owned the property at the time such assessments, charges or fees were imposed.

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

(JCC § 3-2-4; Serial No. 77-38, § 2, 1977; Serial No. 78-5, § 2, 1978; Serial No. 87-40, §§ 4, 5, 1987; Serial No. 91-30, § 2, 1991)

Charter cross reference—Local improvements, CBJ Code § 12.1 et seq.

75.01.050 - Meters.

(a) *Ownership of meters.* The utility will own, install, and maintain all necessary meters for measuring the water service used by the customer and, from time to time, will inspect and test such meters.

(b) *Meters.*

(1) Meters shall be installed for all service except:

(A) Residential service to single-family dwellings without accessory apartments, used solely for residential purposes, or any number of mobile homes; and

(B) Fire protection service lines not used in any manner for unmetered domestic supply unless installation of a meter is requested; provided such domestic supply taken from a fire protection service line shall be metered and shall be charged the appropriate off-site assessment set out in subsection 75.01.040(a)(1)(A) or (B).

(2) The property owner shall provide a place for installation of the meter that is acceptable to the water utility. The meter must be located in an area that is heated, dry, and accessible for repair and replacement of the meter, as determined by the water utility. A shut-off valve shall be installed by the property owner ahead of the meter yoke. The water utility may install a remote readout; a suitable place for the remote unit shall be provided by the owner and shall be satisfactory to the water utility.

(c) *Size and type of meter.* The utility reserves the right to determine the size and type of meter to be installed for each specific location. The size and type of meter will depend on the rate of flow of water through the meter and the total water consumption. All meters will be sealed by the utility at the time of installation, and no seal shall be altered or broken except by authorized persons.

(d) *Premises.* Customers shall keep their premises adjacent to the meter free from all rubbish or material of any kind which would prevent employees of the utility from having free access to the meter.

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(e) *Submeters.* The utility shall install one meter for multiple residences or occupancy buildings, such as apartment houses, office buildings, or combinations thereof, or trailer parks, groups of cabins under one ownership, etc.; if the owners desire individual meters for each unit, they, the owners, shall install their own meters and read and bill the tenants at their own cost. The utility shall have no interest or responsibility for any of these submeters or any other facilities on the customer line except as provided elsewhere herein.

(f) *Changes in size of meter or service connection.* Permanent changes in the size of meters and/or service connections will be made on request of the customer. The customer will be charged for the conversion on the basis of the actual cost to the utility. If a customer increases the total water consumption on the premises served to a point where the meter is operating beyond its rated capacity, or decreases the total water used to a point where the meter is too large to accurately indicate the water used, the utility may, upon notification to the customer, change the size of the meter and bill the cost to the customer.

(JCC § 3-2-5; Serial No. 87-40, § 6, 1987; Serial No. 87-55, § 2, 1987; Serial No. 91-20, § 2, 1991; Serial No. 2010-29, § 2, 9-20-2010)

75.01.070 - Contracts.

(a) *Standard contracts.* In case the premises of the applicant for water service are connected for water service as a result of the application being accepted, the application given in writing shall be considered as a contract in which the applicant agrees to abide by such rates, rules, and regulations as are in effect at the time of signing the application or as may be adopted thereafter by the utility and to pay all bills promptly.

(b) *Special contracts.* The utility reserves the right to make special contracts, the provisions and conditions of which are different from and have exceptions to the regular published schedules. The special contracts shall be in writing and signed by the customer and the municipal clerk upon direction of the assembly. When the customer's requirements for water are unusual or large, or necessitate considerable special or reserve equipment or capacity, the utility may require a contract for an extended period and may also require the customer to furnish security satisfactory to the utility to protect the utility against loss and to guarantee the performance of the provisions of this contract. Except for special contracts in which the contract rate shall be extended, all rates, rules, and regulations are subject to change or modification by the utility without notice.

(c) *Temporary service.* For water service of a temporary nature, for construction purposes, the customer may be required to make a deposit to cover the cost of labor and material of connection and disconnection, and for a reasonable depreciation charge for the use of equipment and material furnished and owned by the utility.

(JCC § 3-2-7)

75.01.080 - Notices.

(a) *Notices to customers.* Notices from the utility to a customer will normally be given in writing and either mailed or delivered to the customer at the last known address. Where conditions warrant and in emergencies, the utility may resort to notification either by telephone or messenger.

(b) *Notices from customers.* Notice from the customer to the utility may be given by the customer or the customer's authorized representative orally or in writing at the office of the municipal clerk, or to an

agent duly authorized to receive notices or complaints.

(JCC § 3-2-8)

75.01.090 - Bills and payment.

(a) *Meter reading and billing.* The utility will keep an accurate account on its books of the readings of meters, and such account, so kept, shall constitute prima facie evidence of the use of water service by the customers. Meters will be read at times of turn-ons and turn-offs.

(b) *Closing bills.* Closing bills, rendered for periods shorter than normal, will be prorated.

(c) *Payment of bills.* All bills for water service are due and payable at the office of the city treasurer or at any other authorized collection agency of the City and Borough on the date of mailing or delivery and become delinquent 25 days thereafter, except in cases where special contract arrangements in writing specify a different payment date. All other charges, fees, and assessments shall be paid at the place as directed by the manager.

(JCC § 3-2-9; Serial No. 87-40, § 7, 1987)

75.01.095 - Interest on delinquent accounts.

Except when otherwise provided by law or specifically provided by ordinance, resolution or a written agreement, interest at the rate of the legal rate of interest in state law per year shall accrue on all unpaid fees, charges, and assessments not paid when due.

(Serial No. 87-40, § 8, 1987; Serial No. 93-08, § 3, 1993)

75.01.100 - Meter error.

(a) *Meter accuracy.* No meter will be placed in service or allowed to remain in service which is known to have an error in registration in excess of two percent under conditions of normal operation.

(b) *Meter test.*

(1) *On customer request.* A customer may, giving not less than one week's notice, request the utility to test the meter serving the customer's premises. The utility will require the customer to deposit the testing fee. This fee shall be \$20.00. The deposit will be returned to the customer if the test reveals the meter to over-register more than two percent under conditions of normal operation. If the meter is operating satisfactorily, the test deposit shall be forfeited to the utility.

(2) *On utility request.* If, upon comparison of past water usage, it appears a meter is not registering properly, the utility may, at its option, test the meter and adjust the charges accordingly if the meter either over or under-registers. No charge for meter testing will be made to the customer for the meter test under these conditions.

(c) *Adjustment of bills for meter error.*

(1) *Fast meters.* When, upon test, a meter is found to be registering more than two percent fast under normal operating conditions, the utility will refund to the customer the full amount of the overcharge based on corrected meter readings for that period, not exceeding three months, that the meter was in use.

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(2) *Slow meters.* When, upon test, a meter is found to be registering more than ten percent slow, the utility may bill the customer for the amount of the undercharge based upon corrected meter readings for the period, not exceeding three months, that the meter was in use.

(d) *Nonregistering meters.* The utility will bill the customer for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the year or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditions.

(e) *Failure to read meters.* In the event that it is impossible or impractical to read a meter on the regular reading date, the billing shall be based on estimated consumption. When it is again possible or practical to read a meter on the regular reading date, the previous reading shall be subtracted from the present reading and this shall be the amount of water used during the period when the meter was not read. To compute the charge to be made for water used during this period, the difference in the reading shall be used to compute the average monthly consumption which shall be the basis for billing and adjustment for the period. When, in the discretion of the water utility, the meter for any reason cannot be used as a basis for establishing a charge, then the schedule of flat rates shall apply.

(JCC § 3-2-10; Serial No. 83-16, § 2, 1983; Serial No. 87-40, § 9, 1987)

75.01.110 - Discontinuance of service.

(a) *Summary disconnection.* The utility may discontinue service to a customer without advanced written notice under the following conditions:

- (1) An immediate hazard exists which threatens the safety or health of the customer or the general population or the utility personnel or facilities;
- (2) The utility has evidence of meter tampering or fraud by the customer;
- (3) Plumbing code violations where public health is in danger.

(b) *Customer request.* Each utility customer about to vacate any premises supplied with water service by the utility shall give notice to the utility of the intended vacation at least two working days in advance, specifying the date service is to be discontinued; otherwise the customer will be responsible for all water supplied to the premises until two days after the utility has notice of the vacation. At the time specified by the customer, the utility will read the meter and send the customer a bill, which is payable immediately. In no case will the bill be less than the proportionate share of the monthly minimum provided for in the schedule applying to the class or classes of service furnished.

(c) *Private disputes.* The utility will not discontinue water service for the purpose of resolving a dispute or enforcing an agreement between a landlord and tenant, lender and borrower, or other legal relationship unless one party to the relationship is a government agency.

(d) *Disconnection upon notice.* The utility may discontinue water service after notice in accordance with subsection (e) of this section for any of the following reasons:

- (1) Failure of the customer to pay water utility bills, fees, charges, assessments, or any amount due the utility for labor, materials or miscellaneous items within 90 days after the utility has billed for the amount as part of a statement on the customer's regular account;

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(2) The utility has reasonable grounds to believe that plumbing facilities, appliances, or equipment using water on the premises are dangerous, unsafe, or not in conformity with any laws or ordinances;

(3) Knowing and continued failure of the customer to provide the utility with reasonable access to its meter, equipment, or property;

(4) As lawfully required by any government agency having jurisdiction.

(e) *Notice procedures.* The following notice requirements apply to service disconnections under subsection (d) of this section:

(1) The City and Borough shall, at least 15 days before the date of scheduled disconnection, send by first class mail to the customer a written notice of its intent to disconnect service. A copy of the termination notice will be simultaneously sent to any third party designated by the customer on the service application. The notice will contain the following information:

(A) The name and address of the customer whose service is to be disconnected and the service address, if different;

(B) The date on or after which service will be disconnected if the customer fails to take appropriate action;

(C) An explanation of the reason for the proposed disconnection, including, if applicable, a statement of the amount of the delinquent bill;

(D) If disconnection is premised on payment delinquency, a statement advising the customer how to contact the City and Borough to arrange deferred payment or other measures to avoid disconnection of service;

(E) A statement that upon request of the customer received by the utility at least ten days prior to the date scheduled for the disconnection, a representative of the utility will meet with the customer to discuss the disconnection, provided that the utility retains the right to terminate service on the scheduled date if the disconnection is authorized by this section;

(F) The amount the utility will charge for disconnection and reconnection.

(2) If the City and Borough has been provided written evidence that a residence is occupied by a person seriously ill, elderly, handicapped or dependent on life support systems, and has provided the resident its written acceptance of such evidence, the city will provide the notice required by subsection (e)(1) of this section at least 30 days before disconnecting service from the residence.

(3) Not less than three business days prior to disconnection, the utility will visit the premises to personally deliver a shut-off notice to the customer. If the customer is not present at the time of the visit, the utility will leave the notice in a prominent place. The shut-off notice will explain why service will be terminated, when it will be terminated, and how the customer can avoid termination.

(4) If the customer is a landlord who has provided the utility with written notice that the premises are occupied by a tenant, the utility shall notify the tenant in writing at least 15 days before the scheduled date of disconnection of service, that the tenant may subscribe for service in the tenant's own name. The utility will not attempt to recover from the tenant any costs outstanding on the landlord's bill, but may condition service on payment of any outstanding balances the tenant

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may have at the same service address. If the tenant declines to subscribe for individual service, or arrange for payment of such outstanding balance, the utility will disconnect service in accordance with the original notice.

(5) Within ten days after the date specified on the shut-off notice the utility will disconnect service without further notice. Disconnection of service will not occur on a Friday, Saturday, Sunday, a holiday, a day preceding a holiday, or between 4:30 p.m. and 8:00 a.m. on any day. The utility may remove any or all of its property installed on the premises upon disconnection of service.

(6) The utility will restore service within three working days after correction by the customer of the conditions that resulted in disconnection. The customer may request service restoration during a period other than regular working hours, subject to an after-hours charge as called for in the current collective bargaining agreement between the municipality and the union representing the employees who perform the restoration.

(f) *Liens.* If a lien has been recorded, any delinquent amount owed to the utility shall constitute a lien upon the real estate for which water service is supplied, and the utility is authorized and directed to file sworn statements showing such delinquencies in the office of the recorder of the City and Borough recording district.

(JCC § 3-2-11; Serial No. 85-38, § 2, 1985; Serial No. 87-40, § 10, 1987; Serial No. 99-05, § 2, 1999)

75.01.120 - Responsibility and service preference.

(a) *Responsibility for customer equipment.* The utility shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing, or equipment; and the utility may, upon ten day notice, discontinue service to any customer when a defective condition of plumbing or equipment upon the premises of the customer results, or is likely to result, in interference with proper service, or is likely to cause contamination of water. The utility does not assume the duty of inspecting the customer's line, plumbing and equipment, and shall not be responsible therefor, and will not be liable for failure of the customer to receive service on account of defective plumbing or apparatus on the customer's premises.

(b) *Service by the utility.* The utility will exercise reasonable diligence and care to furnish and deliver a continuous and sufficient supply of pure water to the customer, and to avoid any shortage or interruption of delivery of same. The utility will not be liable for high-pressure or low-pressure conditions; chemical, or bacteriological conditions; interruption, shortage, or insufficiency of supply; or any loss or damage occasioned thereby. The use of water upon the premises of the customer is at the risk of the customer, and the responsibility of the utility shall cease at the point of delivery of water. Unless otherwise specified in agreement, the point of delivery shall be the point where the service line attaches to the customer's line. Water will be furnished for ordinary domestic, business, and community purposes, and fire protection only. The City and Borough or the utility will not be liable to the customer for any loss or damage which may be caused by failure of the water utility to deliver water. Whenever feasible, the City and Borough shall give public notice of shutoffs but shall not be bound to do so.

(c) *Interruption of service.* The utility, whenever it shall find it necessary for the purpose of making repairs or improvements to its system, shall have the right to suspend temporarily the delivery of water, but in all such cases, reasonable notice thereof as circumstances will permit, will be given to the customers, and the making of such repairs or improvements will be prosecuted as rapidly as may be practicable, and if practicable, at such times as will cause the least inconvenience to the customers. Anything contained herein to the contrary notwithstanding, the utility shall not be liable for loss or

damage in consequence from the interruption in service arising from any cause.

(d) *Service preference.* In case of shortage of supply, the utility reserves the right to give preference in the matter of furnishing service to customers and interests of the utility from the standpoint of public convenience or necessity.

(JCC § 3-2-12)

75.01.130 - Damage to utility's property.

The customer shall be liable for any damage to a meter or other equipment or property owned by the utility which is caused by an act of the customer or the customer's tenants, agents, employees, contractors, licensees, or permittees, including the breaking or destruction of seals and locks by the customer on or near a meter or curb stop. The utility shall be reimbursed by the customer for any such damage promptly on presentation of a bill. If a meter is damaged by hot water from the customer's line, the customer shall be required to pay for the cost of repairs and for the loss of revenue occasioned by the damage.

(JCC § 3-2-13)

75.01.140 - Water waste.

Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the utility may discontinue service if such conditions are not corrected after due notice by the utility.

(JCC § 3-2-14)

75.01.150 - Access to premises.

The utility or its duly authorized agents or employees shall have the right to install any and all services on the customer's premises and shall at all reasonable times have the right to enter or leave the customer's premises for the purposes of installing, inspecting, reading, repairing, testing, maintaining, and reinstalling the meter and its related appurtenances.

(JCC § 3-2-15)

75.01.160 - Outside users.

(a) Water service to users outside the City and Borough shall at all times be subject to the prior and superior rights of the people of the City and Borough.

(b) All regulations now or hereafter in effect for users inside the City and Borough, except where modified by contract, shall apply to users outside the City and Borough.

(JCC § 3-2-16)

75.01.170 - Fire protection services.

(a) *Purpose.* Standby fire protection service connections of two inches to eight inches in size will be installed only if adequate provisions are made to prevent the use of water from such services for purposes other than fire extinguishing. Sealed fire sprinkler systems with water-operated alarms shall be considered as having such adequate provisions. The water utility may require that a suitable

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detector check or meter be installed in standby fire protection service connections to which hose lines or hydrants are connected.

(b) *Charges for service.* No charge will be made for water used in routine testing of the fire protection system. The customer shall pay the full cost of the standby fire protection service connection, any required detector check or meter, and any special water mains installed solely for service to the standby connection.

(c) *Fire service connection other than standby.* A service having fire protection facilities on the premises and water for other purposes flowing through the same service connection shall be considered as an ordinary service and shall be metered. All water used through that service, regardless of its use, will be charged at the regular rates; however, no additional charge will be made for the fire protection facilities on the premises.

(d) *Violations of regulations.* If water is used from a standby fire protection service in violation of these regulations, an estimate of the amount used will be computed by the water utility, and the customer shall pay for the water used at the regular rates, including the minimum charge based on the size of the service connection. In addition, the water utility may require that a service meter be installed in the service connection and subsequent bills rendered on the basis of the regular water rates.

(e) *Pressure and supply.* The water utility assumes no responsibility for loss or damage because of lack of water or pressure and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The service is subject to shutdowns and variations required by the operation of the system.

(f) *Public fire hydrants.*

(1) No person, corporation, or other association may open, attempt to draw water from, close or tamper with a public fire hydrant except a firefighter or utility employee in the discharge of duties, or a person, corporation, or other association that has received specific written approval from the water utility.

(2) A written application for a permit to use a public fire hydrant shall be submitted to the water utility and shall be on a form supplied by the water utility and shall contain such information as may be required by the water utility.

(3) The permit may be issued after payment of a refundable security and damage deposit for any water meter, fire hoses or other equipment provided by the water utility. Fire hoses and other equipment may be made available by the water utility without charge on an as-available, first-come, first-served basis. Upon presentation of the receipt given for the deposit, the applicant shall be entitled to a refund of the deposit less such amount as the water utility determines is appropriate for damage or loss of the meter, fire hoses or other equipment provided the applicant and less such amount as may be due for the hydrant use.

(4) The charge for water used from a public fire hydrant shall be \$5.00 per 1,000 gallons with a \$50.00 minimum. If a meter is not available, the charge for unmetered use of a fire hydrant is \$50.00 per half day or any part thereof. The first half of the day shall be the time between midnight and noon; time shall run from the time the applicant picks up the written permit until the applicant ceases use of the hydrant, returns all fire hoses and other equipment to the water utility, and informs it that the applicant has ceased use of the hydrant.

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(JCC § 3-2-19; Serial No. 87-40, § 13, 1987)

75.01.180 - Rate schedule.

(a) Commencing July 1, 2011, the schedule of rates charged for water service shall be as follows:

Water Utility Rate Schedule

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Customer Class

	Monthly Allowance (Gallons)	RATES	
		Base (per month)	Volume Charge (per 1,000 gallons)
Flat Residential	—	\$26.40	—
Metered Residential	4,000	\$18.06	\$2.43
Flat Commercial	—	\$26.40	—
Metered Commercial	4,000	\$18.06	\$2.43
Large Commercial	500,000	\$347.42	\$0.70
Bulk Water	—	\$18.06	\$2.43

(b) *General provisions:* For any property upon which the water utility has installed more than one meter, each meter shall be read and billed to the owner of the property as if it were a separate service. Metered residential and commercial accounts will be billed at corresponding flat rates until meters are installed. Accounts not fitting the class definitions will be assigned to an appropriate customer class by the water utilities superintendent. Existing residential water exemptions shall remain in effect until meters are installed.

(Serial No. 87-40, § 14, 1987; Serial No. 91-20, § 3, 1991; Serial No. 92-45am, § 2, 1992; Serial No.

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2001-52am, § 2, 11-19-2001; Serial No. 2003-43am, § 3, 10-13-2003; Serial No. 2006-21, § 2, 6-26-2006; Serial No. 2010-28, §§ 2, 4, 8-23-2010)

Editor's note— Ordinance Serial No. 2010-28, Secs. 2 and 4, amend section 75.01.180(a) and become effective October 1, 2010 and July 1, 2011 respectively.

75.01.190 - Fire protection systems.

(a) There shall be no charge for water used in a metered or unmetered fire protection system for the extinguishment of a fire to which a municipal fire department has responded. The manager shall make a good faith estimate of the amount of metered water used in the extinguishment of a fire and the water bill for that or a subsequent month shall be adjusted in accordance with that estimate.

(b) An unmetered fire protection service used in any manner as a domestic source shall be charged at the unmetered rate determined by the manager to be most appropriate for the domestic uses involved for the period of time between the installation of the unmetered fire protection system service until the domestic use ceases or the fire protection system is metered.

(c) Fire hydrants on private property may not be connected to the municipal water system unless they meet requirements of the City and Borough with respect to location, color, fitting size and threads, feedline size and other requirements established for the purpose of ensuring the hydrant will be usable by the fire department in a fire emergency. Unmetered fire hydrants on private property may be used only for fire extinguishment.

(Serial No. 87-40, § 15, 1987)

75.01.210 - Thawing and other miscellaneous charges.

The water utility may, but is not required to, provide thawing and other services on a time-available basis. The fee for such services shall be the actual cost to the municipality to perform the work plus a ten percent administrative fee. For thawing service, the customer shall pay all costs of thawing to the main. Except in an emergency which the water utility determines may threaten the property of the water utility or poses a substantial threat to the health, safety or welfare of a customer, these services shall be scheduled and performed during regular working hours on a first-come, first-served basis.

(Serial No. 87-40, § 16, 1987)

75.01.220 - Tampering prohibited.

(a) *Generally.* It is unlawful for any person, without authority from the public works department, to connect to or operate, or to damage, alter, or otherwise tamper with any water main, service line, meter, or other public works department equipment or facility.

(b) *Penalty.* Any person who violates any of the provisions of this section is guilty of a Class B misdemeanor and shall be liable to the City and Borough for any expense, loss or damage occasioned by the City and Borough by reason of such violation. A separate offense shall be deemed committed on each day during which a violation occurs or continues.

(Serial No. 87-40, § 17, 1987)