



Ogden City

City Council Study Session Notice

September 15, 2015 at 5:30 p.m.

City Council Work Room

Municipal Building – Third Floor

2549 Washington Boulevard, Ogden, Utah 84401

Notice is hereby given that the Ogden City Council will meet in a study session on Tuesday, September 15, 2015 at 5:30 p.m., in the Council Work Room, on the third floor of the Municipal Building, 2549 Washington Boulevard, in Ogden City, Weber County, Utah.

The purpose of the study session is to discuss waterline maintenance ordinance amendment, to receive a planning update, to review agenda items for the City Council meeting, which begins at 6:00 p.m., and to discuss Council business.

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In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the Management Services Department at 629-8701 (TDD # 629-8949) or by email: ADACompliance@ci.ogden.ut.us at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and/or agenda was posted in three public places within the Ogden City Limits on this 11th day of September, 2015. These public places being: 1) City Recorder's Office on the 2nd floor of the Municipal Building; 2) 2nd floor foyer of the Municipal Building; and 3) the Weber County Library. A copy was posted to the Utah State Public Notice Website and the Ogden City Website, as well as provided to the Standard- Examiner.

TRACY HANSEN, MMC
OGDEN CITY RECORDER

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Ogden City Council Agenda Information Line – 801-629-8159



City Council Work Session

COUNCIL STAFF REVIEW

PROPOSED AMENDMENTS TO ADDRESS PRIVATE WATERLINE MAINTENANCE

PURPOSE OF

WORK SESSION: Review proposed revisions to Title 9 (Water and Sewer) clarifying maintenance requirements of waterlines between the main line and the water meter or curb stop as well as other minor amendments

Executive Summary

The proposed ordinance changes deal primarily with a correction in defining responsibility for water laterals and private water lines. Previous ordinance changes replaced key wording that defined which section of a water lateral the City's Water Utility is responsible for and which section a property owner is responsible for. The current ordinance language indicates that when a water meter is not present, the Water Utility is responsible for the water lateral from the main line to the property line. Past practice has been that the Water Utility was responsible for a water lateral up to the point of a water meter or the back of curb. The ordinance reintroduces language that clarifies this practice. The proposal also includes other language updates and corrections in order to make the ordinance language more consistent.

Background

Prior to 2002, the City's ordinances with regard to private water line maintenance specified that the City's Water Utility was responsible for water laterals from the point of connection to the main line to the back of curb. Curb stop valves, placed at the back of curb, were commonly installed in older developments and acted as a delineation of the responsibility of the Water Utility and the water customer. In newer developments, installation of water meters at the proper location behind the curb is customary. If a meter is present at the appropriate location, the meter delineates the separation of maintenance.

In 2002, an ordinance amendment was approved which reworded key sections of the Water and Sewer title. These changes, which appear to be inadvertent, removed the language referring to the curb as the maintenance demarcation and replaced it with language referring to meter boxes. This language is not a problem with newer developments but it is a problem for older developments with, or without, curb stops and properties with meter boxes in non-standard locations. In the case where no water meter is



City Council Work Session

COUNCIL STAFF REVIEW

present, the City's Water Utility Manager, with agreement from the Legal Department, has interpreted the revised language to require the Water Utility to maintain a water lateral from the main line to the property line since there is no specific reference to either the back of curb or to a curb stop. This interpretation may seem trivial but it is a departure from what has been done traditionally prior to 2002 and even what has been done since that time as the interpretation up until recently has been consistent with the pre-2002 ordinance. The transmittal information indicates that additional maintenance costs due to this error have cost the utility over \$16,000 since February 2015.

Current Proposal The proposal is to reintroduce language in Title 9 of the City's code to provide clarification on the responsibility of water laterals running from the main line to a retail water consumer's property. The language states that the Water Utility is responsible for line maintenance from the main line to the closer of the following:

1. The curb stop if a curb stop has been installed;
2. Twelve inches behind the curb if no curb stop has been installed;
or
3. Five feet behind the street pavement if no curb stop has been installed.

The demarcations included in the proposal are either the location of the curb stop itself (number 1) or the current or future location of a water meter (numbers 2 and 3). A water meter would typically be installed twelve inches behind the curb or would be located five feet behind the edge of asphalt if no curbing has been installed. This five foot distance allows for approximately two and a half feet of new asphalt, a one and a half foot curb and gutter pan, and a standard one foot setback from the curb for the meter.

Other language proposed clarifies when the Water Utility would not be responsible for the maintenance of a water line. These include:

1. Maintenance or repair on the consumer's side of a meter box (or curb stop);
2. Under a driveway;
3. Anywhere on the water line beyond the main line if the consumer is not within Ogden City boundaries; or
4. Anywhere beyond the main or transmission line if the water service is provided in a non-standard way.

RECEIVED

AUG 18 2015

OGDEN CITY
COUNCIL OFFICE

Ogden City Council Transmittal

Date: August 10, 2015
To: Ogden City Council
From: Jay M. Lowder, Public Services Director, ext. 8215
RE: Private Water Line Maintenance

Staff Contact: Kenton Moffett, Public Utilities Manager, ext. 8097
Requested Timeline: September 2015
Recommendation: Private Water Line Maintenance
Documents: Adoption Resolution, 2001 Ordinance, 2002 Ordinance

Executive Summary:

The purpose of this action is to amend an ordinance that relates to private water line maintenance. Historically, delineation of water line ownership was marked by a curb stop or the curb itself. The majority of the City was designed and installed under this premise. In a 2002 ordinance, this appears to have been inadvertently changed. This proposed amendment reaffirms historic maintenance practices as well as adding additional clarifications.

Background:

Maintenance of water service laterals typically falls on the water utility providing service. This ownership is generally and ideally marked by the water meter. Newer construction follows this rule. Ogden is an old city and has operated a bit differently through the years for various reasons. As such there are a large number of non-standard situations throughout the City.

The majority of these non-standard situations occur with what are known as “curb stops”. Curb stops take their name from their location, generally directly behind curb. This was done to provide flexibility on locating the meter. While this practice has been discontinued, there are many locations in the City with curb stops. This resulted in delineation of maintenance being defined in ordinance as the “back of curb”, until 2002.

Ordinance 2002-20 removed the language delineating “back of curb” as maintenance delineation and replaced it with “meter box”. This change was not outlined with the typical notation (i.e. strikethroughs or underlines). It may have been deemed interchangeable because standard placement of meters in 2002 was behind curb. This change might also have been inadvertent.

Regardless of the intention, the change was not actually put into practice until late last year. At that time, it was brought to the Water Manager’s attention that delineation of maintenance was not marked as crews had always assumed it to be. Since this change became apparent and its interpretation confirmed by our legal division, water utility crews have been honoring it until the ordinance could be modified.

Other changes are being proposed outside of the revision regarding curb ownership delineation. These changes are added as a clarification to existing ordinance and do not represent a departure from existing policy and procedure. These additional modifications are being proposed largely because it is convenient to include changes together when possible.

Proposal:

It is proposed that the City Council adopt the resolution authorizing modifications to City Ordinance subsection 9-1-9.C. These changes are summarized as follows:

- Clarify maintenance delineation on water service lines within the public right of way to include the many situations that can be observed throughout the City.
- Clarify the limits of maintenance on water service lines within the public right of way that may be placed in difficult to repair situations, brought on by legal or physical constraints.
- Applying the clarifications to items that are the homeowner's responsibility to repair so that water is conserved.
- Remove redundant language regarding existing metering infrastructure.
- Change phrasing of certain infrastructure for consistency.
- Clarifying when combined fire and culinary services are allowed and how maintenance is determined regarding these systems.

Fiscal Impact:

Reverting to the pre-2002 ownership delineation (back of curb) will reduce the City's exposure relating to breaks on lines that were installed to older standards. Since February 2015, about \$16,280 has been spent at 22 different locations relating to this change. Other places where meters are placed in non-standard locations would be potential liability to the City.

The other modifications to the ordinance would have no fiscal impact as they are not departures from current policy. They merely clarify questions so that future confusion does not arise, particularly with combination culinary-fire lines.

ORDINANCE NO. _____

AN ORDINANCE OF OGDEN CITY, UTAH, AMENDING THE OGDEN MUNICIPAL CODE BY AMENDING SECTIONS 9-1-9, 9-2-6, AND 9-2-8 TO REVISE PROVISION RELATIVE TO WATER USE AND MAINTENANCE OF WATER LINES; AND BY PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

SECTION 1. Section amended. Section 9-1-9 of the Ogden Municipal Code is hereby amended to read and provide as follows:

9-1-9: [RULES AND REGULATIONS:]

- A. **[Unauthorized Water Use:]** It is unlawful for the owner or occupant of any premises to supply water to others or to permit others to secure water through their service line by hose or other devices without written permission from the manager. If such unauthorized use of water or services is permitted to continue after a five (5) day written notice from the utility to discontinue such use, the water supply shall be turned off and shall not be restored until the person authorized to use the service line has deposited with the division the sum of fifty dollars (\$50.00) to be forfeited in the event of any future violation and has paid the applicable charge for turning the water off and on again.
- B. **[Defective Fixtures:]** Water service will be discontinued to any premises where there are defective or leaking closets, faucets or other plumbing fixtures that are not repaired or replaced after notice from the division. ~~[Water must not be kept running to keep pipes from freezing and all waterways]~~ All fixtures must be closed when not in use.
- C. **[Equipment Maintenance:]**
1. a. Consumers shall keep their sprinklers, hydrants, faucets, valves, hose, curb stop, angle stops, meter box, meter box ring and cover and all other fixtures and service pipes in good condition at their own expense~~[-except for service pipes running from the main to the meter box that are located within the public right of way but not located under a driveway].~~
 - b. Within public rights of way inside of the city, the water utility shall maintain service pipes serving retail consumers and running from the main to the closer of:
 - (1) The curb stop if a curb stop has been installed;
 - (2) Twelve inches (12") behind the curb if no curb stop has been installed; or

(3) Five feet (5') behind the street pavement if no curb stop has been installed and there is no curb.

c. Notwithstanding subsection 1.b., the water utility is not responsible to maintain, repair or pay any cost of maintaining or repairing service pipes:

(1) At any point on the consumer's side of the water meter:

(2) Located underneath a driveway;

(3) At any point beyond the water main or transmission line for service to consumers whose property is not inside the corporate limits of Ogden City or who are not retail consumers of the water utility; or

(4) At any point beyond the water main or transmission line in other locations where water service is provided in a non-standard way, such as subdivisions with private water infrastructure or on a combined fire line and service line.

d. ~~Whenever it is found that service pipes, other than [from the main to the meter box] service pipes maintained by the water utility as described [above] in subsection 1.b and limited by subsection 1.c., or any fixture on consumer's premises is broken or not in serviceable condition, the consumer shall, upon notice, make the necessary repairs or replacements at his expense. Should [he] a consumer fail to do so, the water shall be turned off or service limited and not turned on again until said repairs or replacements have been made. [The city shall be responsible for repairing service pipes running from the main to the meter box, if broken or not in serviceable condition, that are located within the public right of way; provided that the city shall not be responsible for the repair of service pipes that run under a driveway.]~~

2. At the discretion of the manager, the utility may make repairs to the angle valve, if determined to be necessary for adequate control of water. In such event, the manager is authorized to charge the owner for the actual cost of materials incurred in such repair.

3. ~~[In the event] [if the meter box is not in an allowed location as provided in Section 9-2-6, [set back by the curb, or is located in a sidewalk or driveway or other unsafe location as determined by the water utility,] the city will install a new meter box at the proper location at city expense when either the property owner finds it necessary to replace their service line or when repair is required to a service pipe running from the main to a meter box not located within the public right of way. The property owner or the owner's plumber shall be responsible for removal and disposal of the old meter box and the installation or restoration of improvements associated with the [old location] relocation of the service line[, or their plumber will remove the old meter box and dispose of it].~~

D. **[Separate Fixtures; Required When:]** Except where there is a house or houses situated in the rear of a house fronting on a street and on the same building lots and owned by the same person, firm or corporation, service pipes must be so arranged that each separate house or premises is supplied from a separate tap on the water

main and controlled by a separate stopcock placed within or near the line of the street curb.

E. [Multiple Fixtures:]

1. Actions Designated: Where water is being supplied to one or more houses or buildings or families through one service pipe, the manager may, at the manager's discretion~~[-either]~~:
 - a. Discontinue water service to the single line until separate service lines are provided for each house or building;
 - b. Require each house or building to be metered from the common service line; or
 - c. Continue to supply water service on the condition that one party or person assumes full liability for all water supplied to all parties concerned through the common service line.
2. Common Service Line; Maintenance: In the event the manager elects to permit the continued use of a common service line under one of the provisions of subsection E1 of this section, it shall be the responsibility of all persons receiving water therefrom to maintain the common service line from the relevant location described in subsection C1 of this section to the house or buildings serviced by the line. In the event of the failure of such persons to make any necessary repairs to such line after ten (10) days' written notice, the supply of water to such line may be turned off until such repairs are made.

SECTION 2. Section amended. Section 9-2-6 of the Ogden Municipal Code is

hereby amended to read and provide as follows:

9-2-6: [METERS AND METER BOXES; STANDARDS:]

All meters and meter boxes will meet the standards and specifications established by this section. Prior to the installation of any such meters or meter boxes, two (2) prints of drawings thereof showing fittings and dimensions must be submitted to the utility to ensure compliance with the standards prescribed herein. One print showing the approval of the utility will be returned to the applicant.

- A. **[One Inch Line:]** All necessary meters and meter boxes for lines one inch (1") in size or less shall be furnished by the utility and the cost thereof included with the hook up fee.
- B. **[Over One Inch Line:]** Where meters over one inch (1") in size are required, the meter shall be furnished by the utility and the meter box will be provided by the owner; provided, however, that all such meter boxes shall comply with standards and specifications of the city.

- C. **[Bypass Line:]** All meters one and one-half inches (1¹/₂") and over must be provided with a bypass line. The meter must be placed on the direct water line.
- D. **[Size Restriction:]** No meter larger in size than the tap on the water main will be installed on any service.
- E. **[Placement:]** All meter boxes must be placed in the frontage of the public right of way for ~~on~~ the lot or parcel ~~of the building~~ being served, and within ten (10) to fifteen feet (15') of the property line of said ~~building~~ lot, so that the street side of the box is within twelve inches (12") of the back of the street curb. ~~[No meter will be placed in the driveway leading to a garage.]~~ If there is no curb, the street side of the meter box shall be placed in the public right of way within five feet (5') of the back edge of pavement.
- F. **[Location Restrictions:]** No meter will be installed in the following locations:
1. Any place that is, or may be, unclean, hazardous or not easily accessible to employees of the utility.
 2. In any pit or well, below any plumbing fixtures or in the proximity of any plumbing fixtures in a toilet room.
 3. Below stairways, landing, show windows, platforms or similar structures.
 4. In the driveway leading to a garage.
- G. **[Correction For Violation:]** In the event the location of any meter is in violation of the preceding subsection or comes to be in violation because of subsequent construction or other acts by the owner or consumer and the violation is not corrected after ten (10) days' written notice by the utility, the water supply to the premises will be shut off and will not be restored until the violation is corrected by the owner or consumer and fees for turning the water off and on are paid.
- H. **[Subject To Vehicle Traffic:]** Whenever water service must be installed in any premises at such a location that the meter box may be subjected to vehicle traffic, it shall be the responsibility of the owner or the occupant of the premises to install at ~~[his]~~ the owner's or occupant's expense a standard heavy concrete box with a heavy cast iron ring and cover, as approved by the water manager, of sufficient strength to withstand the weight of vehicular traffic. If the owner or occupant of any such premises shall fail to make such installation, the utility, in addition to any and all other remedies provided by law, may remove any meter that may have already been installed and terminate all water service to such premises until a meter box has been installed as provided herein.
- I. **[Number Restricted:]** Not more than one service line shall be installed in any one trench and only one meter shall be permitted in a box. Only the valves and fittings needed to control the service line to the premises will be permitted in the meter box.

- J. **[Curb Stop And Box:]** If the plans of the street call for the sidewalk to be adjacent to and in contact with the curb, a curb stop and curb box must be installed in the sidewalk adjacent to the curb and the top of the curb box and concrete of said sidewalk shall be at the same level. The meter box shall be set on the owner's side of the sidewalk adjacent thereto.
- K. **[Concrete; Approval Required:]** No concrete shall be placed over a meter box or curb box without the approval of the water manager, who will provide upon request, drawings and specifications to be followed in placing the concrete. In case concrete is placed over a meter box or curb box and the utility finds it necessary to dig down to the facility for maintenance, a charge will be made against the owner for replacing the concrete and repairing any damage to the meter or meter box.

SECTION 3. Section amended. Section 9-2-8 of the Ogden Municipal Code is hereby amended to read and provide as follows:

9-2-8: [PRIVATE FIRE PROTECTION SYSTEMS:]

For the purpose of this Chapter, a private fire protection system is an automatic sprinkler system or water spray system designed or intended to protect the premises in case of fire. All private fire protection systems shall be subject to the following regulations:

- A. **[Permit Required:]** No private fire protection systems will be installed without a written permit from the Utility. Applications for such permits shall be accompanied by two (2) sets of plans for the proposed system, including all service lines and the maximum estimated flow. The plans must be approved by the Utility before a permit may be issued or construction on the system commenced. Service lines for a fire protection system shall be no larger than the main to which it is connected, and in no case larger than eight inches (8") in diameter.
- B. **[Conditions:]** The permit, as approved by the Water Manager for the type of installation, shall provide that the applicant will:
 - 1. Maintain and use the private fire protection system and service solely for firefighting purposes, except where the water manager has approved plans for a combined fire protection system and culinary supply system. A combined system is typically only allowed on commercial projects or in subdivisions with private water infrastructure.
 - 2. Comply with all rules and regulations of the Utility.
 - 3. Pay all damages of any nature which the Utility may sustain due to the installation or operation of the private fire protection system.

4. Save the Utility and any officer, agent or employee thereof harmless from any and all claims by any person whatsoever, including the applicant for damages suffered because of the installation, maintenance or operation of the private fire protection system, or by reason of the inadequacy or failure of the water supply.
5. Reimburse the Utility for all damage suffered by it because of any violation of the rules and regulations of the Utility or because of improper use of the fire protection service by the customer.
6. Maintain the private fire protection system in its entirety from its connection to the water main, including service lines and related valves, free from leakage, improper operation or improper connection.
7. Report to the Utility immediately any leakage, breakage, improper connection or improper use of the private fire protection system or service. If after ten (10) days' written notice from the Utility, the owner or occupant fails to correct any leaks or terminate any improper use by himself or others, the Utility may shut off water from the system until the owner or occupant complies with the notice. The Utility may require the installation of detector-checks in line in the event of frequent leakage or improper use.

SECTION 4. Effective date. This ordinance shall be effective immediately upon posting after final passage.

PASSED, ADOPTED AND ORDERED POSTED by the Council of Ogden City,
Utah this _____ day of _____, 2015.

CHAIR

ATTEST:

CITY RECORDER

TRANSMITTED TO THE MAYOR ON: _____

MAYOR'S ACTION: Approved Vetoed

MAYOR

ORDINANCE NO. 2002-20

AN ORDINANCE OF OGDEN CITY, UTAH, AMENDING CHAPTER 1, TITLE 9 OF THE OGDEN MUNICIPAL CODE BY AMENDING SUBSECTION 9-1-9.C TO CHANGE THE RESPONSIBILITIES FOR MAINTAINING WATER SERVICE LINES BETWEEN THE MAIN AND THE METER BOX, MAKING IT A CITY RESPONSIBILITY IF LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY; AND BY PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

SECTION 1. Subsection amended. Subsection 9-1-9.C of the Ogden Municipal Code is hereby amended to read and provide as follows:

C. Equipment Maintenance.

1. Consumers shall keep their sprinklers, hydrants, faucets, valves, hose, curb stop, angle stops, meter box, meter box ring and cover and all other fixtures and service pipes in good condition at their own expense, except for other than service pipes running from the main to the meter box that are located within the public right-of-way but not located under a driveway. [provided the meter box is between the curb and sidewalk. In the event there is no sidewalk, the city will repair or replace the service line to the meter box provided the meter box is within the city utility easement up to the property line.] Whenever it is found that service pipes, other than from the main to the meter box as described above, or any fixture on consumer's premises is broken or not in serviceable condition, the consumer shall, upon notice, make the necessary repairs or replacements at his expense. Should he fail to do so, the water shall be turned off or service limited and not turned on again until said repairs or replacements have been made. The City shall be responsible for repairing service pipes running from the main to the meter box, if broken or not in serviceable condition, that are located within the public right-of-way; provided that the City shall not be responsible for the repair of service pipes that run under a driveway.

2. At the discretion of the manager, the utility may make repairs to the angle valve, if determined to be necessary for adequate control of water. In such event, the manager is authorized to charge the owner for the actual cost of materials incurred in such repair.

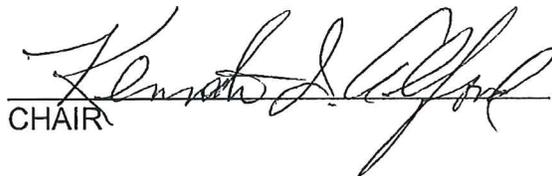
3. In the event the meter box is not set back by the curb, or is located in a sidewalk or driveway or other unsafe location as determined by the water utility, the city will install a new meter box at the proper location at city expense when either the homeowner property owner finds it necessary to replace their service line or when repair is required to a service pipe running from the main to a meter box not located within the public right-of-way. [At the time the service line is replaced, the homeowner] The property owner shall be responsible for removal and disposal of the old meter box

and the installation or restoration of improvements associated with the old location, or their plumber will remove the old meter box and dispose of it.

SECTION 2. Effective date. This ordinance shall be effective immediately upon publication after final passage.

PASSED, ADOPTED AND ORDERED PUBLISHED by the Council of Ogden

City, Utah this 2nd day of April, 2002.


CHAIR

ATTEST:


CITY RECORDER



TRANSMITTED TO THE MAYOR ON: 4/4/02

MAYOR'S ACTION: Approved Vetoed


MAYOR

ATTEST:


CITY RECORDER



PUBLICATION DATE: April 21, 2002

EFFECTIVE DATE: April 21, 2002

APPROVED AS TO FORM: Aug 3/21/02
Legal Date

ORDINANCE NO. 2001-3

AN ORDINANCE OF OGDEN CITY, UTAH, AMENDING TITLE 4 AND TITLE 9 OF THE OGDEN MUNICIPAL CODE BY AMENDING SUBSECTION 4-6-1.E.3 ADOPTING NEW FEES FOR THE PROVISION OF TEMPORARY CULINARY WATER SERVICE DURING NEW CONSTRUCTION AND REVISING THE FEES FOR MISSING OR DESTROYED LOCKS; BY AMENDING SUBSECTION 9-1-6.G TO REVISE THE PROVISIONS REGARDING TEMPORARY CULINARY WATER SERVICE AND ADOPTING NEW STANDARDS FOR TEMPORARY SERVICE FOR NEW CONSTRUCTION; BY AMENDING SUBSECTION 9-1-9.C TO ADOPT NEW STANDARDS FOR CITY REPAIR OF ANGLE VALVES AND RELOCATION OF METER BOXES INSTALLED IN INAPPROPRIATE LOCATIONS; BY AMENDING SUBSECTION 9-1-11.B.1 INCREASING THE FEE FOR TURN-OFF NOTICES TO \$15.00; BY AMENDING SECTION 9-1-11 ASSESSING A \$50.00 CHARGE FOR ILLEGAL HOOK-UPS; BY REPEALING SUBSECTION F OF SECTION 9-1-9 REGARDING STANDARDS FOR OUTDOOR HOSES AND NOZZLES; BY AMENDING SUBSECTION 9-2-6.E TO REVISE THE STANDARDS FOR METER BOX PLACEMENT; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION AFTER FINAL PASSAGE.

NOW, THEREFORE, the Council of Ogden City hereby ordains:

SECTION 1. Subsection Amended. Subsection E.3 of Section 4-6-1 of the

Ogden Municipal Code is hereby amended to read and provide as follows:

3. Water Utility:

Service Restoration fees	See 9-1-11
Water hook-up fees	See 9-2-4
Water rates	See 9-1-6
Disconnect or abandoned line	See 9-2-10D
Trip charge-return (charged for turning water on and off for test, tap open, return trips, etc.)	\$10.00
Missing or destroyed locks (removed when tampering)	10.00/cach
padlock	10.00/each
hinged lock	40.00/each
Printout of accounts	
From computer	5.00
From microfiche (per year)	7.00
Rethaw of frozen lines after notice issued to let water run (street-side of lines only)	25.00/hour
Rebilling charge for irrigation (rental of shares)	5.00
Temporary Service for New Construction, one-time, flat fee based on size of tap serving the premise (Subsection 9-1-6.G.1):	

Tap Size (inches)	Fee
1	\$100.00
1 ½-2	\$150.00
3-4	\$200.00
6	\$250.00
8	\$300.00

SECTION 2. Subsection Amended. Subsection 9-1-6.G of the Ogden

Municipal Code is hereby amended to read and provide as follows:

G. [Temporary Service.]

1. [For Temporary Service Using A Fire Hydrant.] Where Temporary water service is provided for building or other temporary purposes, including service from fire hydrants, the consumer served shall pay, in addition to the regular water rates the reasonable charges of the Utility for the rental of the fire hydrant meter and the other equipment incidental to the meter incident to the installation, connection, servicing and removal of all meters and other temporary equipment necessary or incident to the rendering of such temporary service. Such charges shall be fixed by order of the Public Works Director from time to time on the basis of one hundred fifteen percent (115%) of the average cost of such special service as determined by the Water Manager.

2. [Temporary Service – New Construction.] Water during the construction of a new building may be paid for at a flat, one-time fee depending on the size of tap that will be placed in service for permanent water, which fee is payable at the time of building permit issuance. The general contractor for such new building will be allowed to use a filler (unmetered connection) during construction which will need to be the same length as the meter that will be placed after construction; provided, that a backflow device is installed to avoid contamination of the public water system, and an automatic shutoff device is installed to avoid wasting of water. Upon completion of the building, whether occupied or not, the filler shall be removed and the water, sewer and refuse signed for on a permanent basis, including installation of a permanent meter set. Construction water shall not be left running when not in use for construction purposes. A charge of \$100.00 will be assessed each time City personnel finds water running without a contractor using it, and water service may be shut-off, and not restored again until payment of all such assessed charges. The general contractor for the project shall be responsible for the payment of any assessments, and is responsible to control the wasting of water by any subcontractor on the construction project. It shall be unlawful for any person to install, use, or maintain a filler, and to fail to install and maintain the required meter, except as provided above for new construction. A charge of \$100.00 will be assessed against the owner of any premise, if a filler is used on the premises for any purpose other than new construction as provided above, which amount shall be due and payable prior to the provision or restoration of permanent water service.

SECTION 3. Subsection Amended. Subsection 9-1-9.C of the Ogden

Municipal Code is hereby amended to read and provide as follows:

C. [Equipment Maintenance.]

1. Consumers shall keep their sprinklers, hydrants, faucets, valves, hose, curb stop, angle stops, meter box, meter box ring and cover and all other fixtures and service pipes other

than service pipes running from the main to the curb, in good condition at their own expense. Whenever it is found that service pipes, other than from the main to the curb, or any fixture on consumer's premises are broken or not in serviceable condition, the consumer shall, upon notice, make the necessary repairs or replacements at his expense. Should he fail to do so, the water shall be turned off or service limited and not turned on again until said repairs or replacements have been made.

2. At the discretion of the Manager, the Utility may make repairs to the angle valve, if determined to be necessary for adequate control of water. In such event, the Manager is authorized to charge the owner for the actual cost of materials incurred in such repair.

3. In the event the meter box is not set back by the curb, or is located in a sidewalk or driveway or other unsafe location as determined by the Water Utility, the City will install a new meter box at the proper location at City expense when the homeowner finds it necessary to replace their service line. At the time the service line is replaced, the homeowner shall be responsible for removal and disposal of the old meter box and the installation or restoration of improvements associated with the old location, or their plumber will remove the old meter box and dispose of it.

SECTION 4. Subsection Repealed. Subsection F of Section 9-1-9 of the Ogden Municipal Code is hereby repealed.

SECTION 5. Subsection Amended. Subsection 9-1-11.B.1 of the Ogden Municipal Code is hereby amended to read and provide as follows:

1. There is hereby established a service fee of ~~ten~~ fifteen dollars (\$10.00) (\$15.00) for delivery to the customer of the written notice of intent to disconnect water service after the delinquency

SECTION 6. Section Amended. Section 9-1-11 of the Ogden Municipal Code is hereby amended by adopting a new subsection D to read and provide as follows:

D. **[Illegal Hookup.]** In the event an owner or occupant makes an unauthorized connection by bypassing a meter box from which the water meter has been removed by the Division, a charge of fifty dollars (\$50.00) in addition to all other fees and charges shall be assessed, which charge shall be collected prior to reinstatement of water services.

SECTION 7. Subsection Amended. Subsection 9-2-6.E of the Ogden Municipal Code is hereby amended to read and provide as follows:

E. **[Placement.]** All meter boxes must be placed on the lot of the building being served, and within ten to fifteen feet of the property line of said building lot, so that the street side of the box is within twelve inches (12") of the back of the street curb, and must be located directly in front of the building served between the extension of side lines of said building unless special written permission of the Water Manager is obtained and a copy thereof filed with the City Recorder. No meter will be placed in the driveway leading to a garage.

SECTION 8. PASSED, ADOPTED AND ORDERED PUBLISHED by the Council

of Ogden City, Utah this 2nd day of January, 2001.

Ken Alford
CHAIR

ATTEST:

Gloria J. Bennett
CITY RECORDER

TRANSMITTED TO THE MAYOR ON: 1/9/01

MAYOR'S ACTION: Approved Vetoed

Matthew R. Godfrey, Mayor

ATTEST:

Gloria J. Bennett
CITY RECORDER

PUBLICATION DATE:

1/17/01

EFFECTIVE DATE:

1/17/01

APPROVED AS TO FOR:

AW
Legal

11-28-00
Date

