

## **Article III - City Utilities**

### **Chapter 100 – City of Pleasant Hope Water Facilities**

#### **Section 110.101: Historical Development of the Water System**

**Sub Section A:** Protecting the City Water Supply and Deep Well from Contamination or Pollution and Prohibiting the Drilling Of Water Wells within the Corporate Limits (Ordinance 29, 10/04/1971). The drilling of water wells by any private citizens, persons, corporations firms, partnerships or corporations within the corporate limits of the City of Pleasant Hope, Missouri, shall be and is hereby prohibited. Any citizen, person, firm, partnership or corporation that violates the terms of this Chapter shall be termed guilty of a misdemeanor and shall be punished by a fine not to exceed \$500.00 and/or ninety (90) days in the County Jail. That the right of the City of Pleasant Hope, Missouri to seek injunctive relief to prevent violation of this Ordinance is hereby reserved.

**Sub Section B.** The Water System Department and the Sewer System Department is combined into a single system (Ordinance 130 11/29/1988)

#### **Sub Section C. Water Tower Replacement**

A special election held in the City of Pleasant Hope, Missouri, on Tuesday, November 7, 1995, on the following question: Shall the City of Pleasant Hope, Missouri, issue its combined waterworks and sewage system revenue bonds in the amount of \$450,000 for the purpose of improving and extending its combined waterworks and sewage system, including the acquisition and construction of a stand pipe, an additional water well and additional water lines, the cost of operation and maintenance of said system and the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its combined waterworks and sewage system, including all future extensions and improvements thereto? Results: Yes-71, No-28. (Ordinance 154 1/9/1996). The City of Pleasant Hope, Missouri hired Charles Ankrom, Attorney-at-Law (Ordinance 155 2/12/1996) to assistance in the initial negotiation and closing of a loan with for the construction and operation of a waterworks system, and such legal work as may be needed in conjunction with the construction and operation of the waterworks system. The City of Pleasant Hope, Missouri advertised for construction bids for water system improvement; water standpipe storage facility, foundation, erection, painting and system tie-in line and demolition of existing 14 foot x 55 foot steel standpipe. (Ordinance 158 9/9/1996). Bidding was closed by Ordinance 159, 10/14/1996. Bids were opened on Monday October, 1996 at a regular meeting of the Board of Aldermen. Three bids were received. The contract was awarded to Circle P Welding for a sum of \$140,688. (Ordinance 160 10/14/1996)

#### **Sub Section D. Second Well**

In August 2000, the City of Pleasant Hope, Missouri entered into an Engineering Service Agreement with Simmons Engineering Company of Republic, Missouri for services regarding the expansion and of city utilities, streets and infrastructure. (Ordinance 183 8/28/2000). The Board of Aldermen resolved (Resolution 1-00) on August 28, 2000 to comply with various requirements necessary to obtain financial assistance from the United States of America, acting through the Farmers Home Administration and the Department of Agriculture. The City of Pleasant Hope entered into an employment agreement with Charles Ankrom, Attorney-at-law (Ordinance 184 8/28/2000) for the purpose to providing legal serve for the construction for water system improvements funded by United State Department of Agriculture (USDA). The Board of Alderman approved the final contract documents and drawings from Simmons Engineering and authorizes the advertisement for construction bids for water system improvements; a state approved well, pump and pump house. (Ordinance 190 7/14/2003). On August 5, 2003 (Ordinance 191 9/3/2003) the Board of Aldermen award the construction bid to Flynn Well Drilling for a sum of \$149,300.60. On December 8, 2003 (Ordinance 192 12/8/2003) the Board of Aldermen authorized the issuance of \$250,000 principle amount of the Combined Waterworks and Sewage System Revenue Bonds, Series 2004.

#### **Sub Section E. Third Well and All New Pipe**

In May 2005 the City of Pleasant Hope, Missouri Board of Aldermen called for a Special Bond Election (Ordinance 198 5/9/2005) asking the citizens if the City should the City pursue a \$1,250,000 combined waterworks and sewage system improvement project that would include road repairs resulting from the installation of new water lines, the cost of operation and maintenance of the combined waterworks and sewage

system. The authorization of the Bonds will authorize the City to fix, establish, maintain and collect rates and charges for the services provided by the City. August 2005 the City authorized Simmons Engineering to design and prepare contract documents for the new water system improvements. (Ordinance 202 8/8/2005). The City of Pleasant Hope (Ordinance 208 2/13/2006) authorized title searches and acquisition of easements for the new water system improvements. The City of Pleasant Hope approved the contract documents and drawings and authorized the advertisement for construction bidding of State Approved Well, Pump, Block Pump House, Tie-In Lines and Water Main Distribution System. (Ordinance 216 09/11/2006). The City of Pleasant Hope opened all bids on November 1, 2006; at a Special Meeting of the Board of Aldermen of the City of Pleasant Hope, Polk County, Missouri. The Board of Aldermen of the City of Pleasant Hope, Polk County, Missouri awarded contracts as follows (Ordinance 218 11/08/2006):

Reavis Water Well & Construction in the amount of \$174,979.00 for the Water System Improvements Project Contract No. 1, Well, Submersible Pump, Pump house, Controls and Tie-In Lines as provided for in the Contract Documents prepared by Simmons Engineering Company, is hereby approved and accepted pending the approval of USDA Rural Development.

The adjusted bid of J & N Utilities Inc. in the amount of \$1,097,734.75 for the Water System Improvements Project Contract No. 2, Water Main Distribution System, as provided for in the Contract Documents prepared by Simmons Engineering Company, is hereby approved and accepted pending the approval of USDA Rural Development.

The Borrower (City of Pleasant Hope) deems it advisable and appropriate to finance on an interim basis through the Missouri Public Utilities Commission (the "Authority"), the cost of the Project which will be permanently financed through the United States of America, Department of Agriculture, Rural Development (Ordinance 220, 12/11/2006). USDA took over the loan and the City terminated its membership with Missouri Public Utilities Commission. (Ordinance 266 9/19/2011) The Board of Aldermen authorizing \$1,057,000 Combined Waterworks and Sewage System Revenue Bonds. The actual bond with principal and interest payable in installments is located in the City Clerk's Office (Ordinance 221, 12/11/2006). The Board of Aldermen appoints Mayor Patrick Murphy to serve as the Authorized Representative for the Water System Improvements Project. (Ordinance 201 8/8/2005). Patrick Murphy left office in April 2007. The Board of Aldermen appoints Mayor John Homer to serve as the Authorized Representative for the Water System Improvements Project. (Ordinance 225, 05/21/2007). Final contract documents and drawings for the asphalt road repairs project were submitted by Simmons Engineering Company and advertisement for the road repair construction bids was approved by (Ordinance 234 10/17/2007).

## **Section 110.110: Water Rules and Regulations** (Ordinance 243 10/06/2008)

### **Section 110.112: General**

These Rules and Regulations have been adopted to govern the water services furnished by the Owner in a uniform manner for the benefit of the Owner and its water users and are subject to change as herein provided without notice to any water users or any other person. The United States Department of Agriculture Rural Development Administration must approve all such changes. Any amendment or change to these Rules and Regulations shall be effective on the date such amendment or change is passed by the Owner, as herein provided, or on such other date as the Owner may by resolution designate. Such amendment or change shall be ineffective only if not approved by the United States Department of Agriculture Rural Development Administration, as herein before provided, but in the event such approval is given by the United States Department of Agriculture Rural Development Administration, said approval shall be retroactive to the date of such change or amendment, as provided herein or as otherwise provided by resolution of the Owner. If any portion of these Rules and Regulations shall be declared invalid by competent authority, such invalidity shall not affect the validity of the remaining portion.

### **Section 110.115: Definitions**

The following expressions, words and terms when used herein shall have the meaning stated below:

*Owner* - City of Pleasant Hope

*USDA* - The "United States Department of Agriculture Rural Development Administration" will be referred to as the USDA in this document.

*Applicant* - Any individual, firm, partnership, corporation, the Federal or State Government or any unit, agency, political corporation, or subdivision of either Federal or State Government, or other agency applying for a water user's agreement.

*User* - Any individual, firm, partnership, corporation, the Federal or State Government, or any unit, agency, political corporation or subdivision of either the Federal or State Government, or other agency receiving water services, or to whom water services are made available from the Owner's system pursuant to a written water user's agreement.

*Point of Delivery* - The point of delivery shall be at the meter, unless otherwise specified in the water user's agreement or in any other agreement where it shall be mentioned.

*Service* - The term "service" when used in connection with the supplying of water service shall mean the availability for use by the water user, subject to the provisions of these "Rules and Regulations. Service shall be considered as available when the Owner maintains the water supply at a minimum of 20 psi at the point of delivery, with the service line static, and in readiness for the water user's use, regardless of whether the water user makes use of it.

*Landowner* - Any person owning property served by the water system of the Owner or who has a leasehold interest therein with more than a year to run. The term "Landowner" shall also include life tenants but the Owner may at its discretion require tenants to enter into any agreement required with the property owner under these Rules and Regulations, and the tenant shall be bound by these Rules and Regulations in all respects.

*Water User's Agreement* - The written contract between the water user and the Owner pursuant to which water service is supplied or made available.

*State Director* - The State Director of the USDA RURAL DEVELOPMENT, or his successor.

*Water Service* - A water service shall consist of facilities for supplying water to one residence or business establishment located on land within the jurisdiction of the Owner.

*Special Service* - Water service may be supplied outside of the jurisdiction of the Owner when special conditions meet the standards of the Owner.

## **Section 110.120: Rate Schedule** (Ordinance 291 11/18/2013)

### **Sub Section A. Generally**

Rate schedules for combined water and sewer service are fixed by the Owner. The rate schedule is subject to change by action of the Owner with the approval of the USDA, so long as the Owner has unpaid obligations, which are held or insured by the USDA. If a provision of the Rules and Regulations conflicts with the provision of the rate schedule, the provisions of the rate schedule shall prevail. If the total amount of revenue and income derived from the collection of the water rates is insufficient to meet the payment of the costs of operation, maintenance, depreciation, necessary extensions and enlargements, and payment of the principal and interest on any general and special obligation bonds, then outstanding with their attendant obligations pursuant to the terms of the bonds and the authorizing resolutions, the Owner shall increase the water rates for the first month thereafter in an amount sufficient to meet these costs and obligations.

### **Sub Section B. Definitions:**

*Residential is:* single or multi-family dwellings inside the city limits  
single or multi-family dwellings outside the city limits

*Residential Business:* is the operation of a commercial enterprise from a residence.

*Small Size Business:* is a commercial enterprise with a store front that uses  
<2500 gallons on average per month

*Intermediate Size Business:* is a commercial enterprise that uses

>2500 but <100,000 gallons on average per month

*Large Business / Industrial Business:* is a commercial enterprise with that uses  
> 100,000 gallons on average per month

#### **Sub Section C. Water and Sewer Rate for Residence and Businesses:**

		Water Base Rate	Water Rate per 1000 thereafter	Sewer Base Rate	Sewer Rate per 1000 thereafter	Total bill for first 1000 gal
Residential	Inside City Limits	\$33.46	\$2.90	\$11.00	\$2.70	\$44.46
Residential Business	Inside City Limits	\$33.46	\$2.90	\$11.00	\$2.70	\$44.46
Small Business	Users of <2,500 gal	\$33.46	\$2.90	\$11.00	\$2.70	\$44.46
Intermediate Business	Users of >2,500 <100,000 gal	\$60.00	\$2.90	\$22.00	\$2.70	\$82.00
Large Business/Industrial	Users of >100,000 gallons	\$100.00	\$2.90	\$50.00	\$2.70	\$150.00

\* Churches are charged resident rates.

\* All customers active at the time of this Ordinance are grandfathered.

#### **Sub Section D. Additional Charges Assessed**

The City will assess additional charges for a Missouri Department of Nature Resources Primacy Fee for water, Connection Fee for Wastewater and Missouri Sales Tax Rates for residential and commercial users as required by the State of Missouri.

### **Section 110.130: Applications**

Applications for a water user's agreement shall be made to the Owner. Such applications shall be in writing and the Owner shall prescribe the form of such application.

### **Section 110.140: Deposits** (Ordinance 290 11/18/2013)

#### **Sub Section A. Definitions:**

*Residential is:* single or multi-family dwellings inside the city limits  
single or multi-family dwellings outside the city limits

*Residential Business:* is the operation of a commercial enterprise from a residence.

*Small Size Business:* is a commercial enterprise with a store front that uses  
<2500 gallons on average per month

*Intermediate Size Business:* is a commercial enterprise that uses  
>2500 but <100,000 gallons on average per month

*Large Business / Industrial Business:* is a commercial enterprise with that uses  
> 100,000 gallons on average per month

*Landlord:* is the owner of the single or multi-family dwell or business

### Water Deposits by Definitions

Residential	\$100.00
Residential Business	\$150.00
Small Business	\$150.00
Intermediate Business	2x the expected avg.- \$275.00 minimum
Large Business/Industrial	2 x the expected avg.- \$1200.00 minimum
Landlords	\$100 for each multi-unit building and \$100 for every four (4) units that are being leased or rented inside city limits.

**Sub Section B.** *Renter deposits* will be refunded upon notification of moving and final payment of all outstanding charges on the account.

**Sub Section C.** *Homeowner deposits* will be refunded upon request after 12 consecutive months of “on time, paid in full billing cycles”.

## Section 110.150: Water Service

### Sub Section A. Requirements:

1. *Readiness to Accept* - Before installing a service extension and providing water, the Owner may require the applicant to pipe his home and be in readiness to accept the service.
2. *Service for Sole Use of the Water User* - The standard water service connection is for the sole use of the water user, and does not permit the extension of pipes to transfer water from one property to any other consumer nor will the user share, resell or sub-meter water to any other consumer. If an emergency or specific situation should make such an arrangement advisable, it shall be done only on specific written permission of the Owner for the duration of the emergency. No more than one residence shall be served by one water service connection. A farm containing one residence and other buildings for use in the farming operation shall be considered as one residence and the water user may use water from one meter for all such buildings; provided that in the event that a farm contains two or more residences, a meter shall be required for each residence, unless the Owner shall find such to be an unusual hardship upon the water user, in which case a special agreement may be made concerning such additional residence, and the Rules and Regulations shall be applied to determine the rate for such farm containing two residences.
3. *Hardship Agreements* - The Owner may enter into a special agreement whereby a right of entry is granted to the Owner to read a meter placed on private property for the remotely located residences or remotely located water uses, where the location of the meter as provided in these Rules and Regulations would, in the Owner's opinion, cause undue hardship and expense on the water user. Such special agreements must be written and no water user or applicant for water service shall have any right to force the Owner into such a special agreement, but such agreement s must be entered into solely at the discretion of the Owner. The Owner may in the alternative apply the multi-unit residence rule stated in these Rules and Regulations.
4. *Continuity of Service* - The Owner will make all reasonable efforts to supply continuous, uninterrupted service. However, the Owner shall have the right to interrupt service for the purpose of making repairs, connections and extensions or for other necessary work. Efforts will be made to notify water users whenever possible that may be affected by such interruptions, but the Owner will

not accept responsibility for losses, which might occur due to such necessary interruptions. The Owner does not accept responsibility and shall not be liable for losses that might occur due to interruptions to service for any cause and does not accept responsibility for losses due to failure of the Owner to notify any water user of any such interruption.

5. *Services* - The Owner will install all water service pipes from its mains to the meters on property abutting the right-of-way along which the main is installed insofar as its current financial responsibilities, obligations and conditions will permit, and insofar as adequate water pressure is available at the point of delivery requested by the applicant or water user. The service pipe shall not be less than  $\frac{3}{4}$  inch in size and the Owner will also install and pay for the Owner's main connection, meter and meter setting. The meter will be set at the point on the water user's premises designated by the Owner. The charge for services to be made by the Owner shall be that amount specified in the Rules and Regulations, or as otherwise provided by the Owner, but in no event shall it be less than the cost to the Owner.
6. *Right to Inspect* - Representatives of the Owner shall have the right at all reasonable hours to enter upon the water user's premises to read and test meters, inspect piping, and to perform other duties for the maintenance and operation of service, or to remove its meters and equipment upon discontinuance of service by the water user.
7. *Piping Work to be Inspected* - All piping work in connection with pipe and services connected with the Owner's main shall be submitted to the inspection of the Owner before such underground work is covered up. Whenever the Owner determines that a job of plumbing is obviously defective, although not in direct violation, the Owner may prescribe the type of materials and the standard of workmanship to be followed in enforcing this section.
8. *Intercepting Tank Required for Large Customers* - Service pipes shall not be connected to the suction side of pumps. The supply for use of a character requiring a large quantity of water within a short period will not be permitted except through intercepting or intermediate storage tanks.
9. *Check Valves, Flush Valves and Vacuum Breaker* - Water users having boilers or hot water systems connected with mains of the Owner must have a check valve in the supply pipe to the boilers and hot water heating systems, together with a release valve at some point between the check valve and the heating system. All water users are hereby cautioned against danger of collapse of boilers since it is sometimes necessary to shut off the supply of water without notice, and for this reason, a vacuum valve should be installed in the steam lines to prevent collapse in case the water supply is interrupted. The Owner, however will not be responsible for accidents or damages resulting from the imperfect action or failure of said valves.
10. *Cross-Connections and Interconnections* - The Owner will not allow to be made any physical connection in its water supply system to that of any other pipe system or equipment, where such other pipe system or equipment in any manner receives all or any part of its supply of water directly or indirectly from wells, streams, or any source other than that of the Water System of the Owner.

No interconnection or cross-connection, as defined below, shall be permitted. The making, causing or permitting of the installation or existence of any interconnection shall constitute a violation of the Rules and Regulations of the Owner and such prohibited connection shall be removed forthwith in a manner acceptable to the Owner and the duly constituted public health officials.

Failure to do so within two days from and after date of notification by the Owner may result in discontinuance of water service without further notice. When used in these Rules and Regulations, the following words and phrases shall have the meaning provided.

- a) *Cross- Connection* - A cross-connection is any pipe, valve or other arrangement or device, connecting the pipe lines of the Owner or facilities directly or indirectly connected therewith to and with pipes or fixtures supplied with water from any source other than the lines of the Owner directly connected.

- b) *Interconnection* - An interconnection is a plumbing arrangement, other than a cross-connection, by which contamination might be admitted or drawn into the distribution system of the Owner, or into lines connected therewith, which are used for the conveyance of potable water.

The Owner shall have the right at all hours to enter upon water user's premises for the purpose of inspection and enforcement of this provision.

11. *Applicants Having Excessive Requirements* - In the event of an applicant whose water requirements are bound to exceed the Owner's ability to supply it from existing physical assets without adversely affecting service to other water users, the Owner will not be obligated to render such service, unless and until suitable financing is provided by the applicant to cover the additional physical assets. The Owner has no obligation to reimburse the applicant for any physical assets provided.
12. *Customer's Duty Regarding Service Lines* - The water user's service pipe and all connections and fixtures attached thereto shall be subject to the inspection of the Owner before the water will be turned on, if the Owner so elects, and all properties receiving a supply of water and all service pipes, meters and fixtures, including any and all fixtures within any improvements or buildings on said properties, shall at all reasonable hours be subject to inspection by any duly authorized agent of the Owner.

All service pipes shall be laid at all points at least forty-two (42) inches below the surface of the ground and shall be placed on firm and continuous earth so as to give unyielding and permanent support. They shall not be laid in sewer ditches. It shall be installed in the trench at least eighteen (18") inches in a horizontal direction, in undisturbed earth, from any other trench wherein are laid gas pipes, sewer pipes, or for other facility public or private. Such service lines shall not pass through premises other than that to be supplied unless the Owner shall so agree in writing.

Water user shall, at his own cost and expense, make all changes in the service pipe required or rendered necessary on account of changes in the street grades, relocation of mains, or other causes.

No fixture shall be attached to, or any branch made in, the service pipe between the main of the Owner and the water meter.

Any repairs or maintenance necessary to the service pipe or any pipe or fixture in or upon the water user's premises shall be performed by the water user at his sole expense and risk.

Service pipes must be kept and maintained in good condition and free from all leaks, and for failure to do so the water supply may be discontinued.

The Owner shall in no event be liable for any damage done or inconvenience caused by reason of any break, leak or defect in, or by water escaping from service pipes, or from fixtures on the premises of the owner or water user.

13. *No One But Owner's Employee's May Turn Water Off or On* - No one but an employee or a person authorized by the Owner shall turn on water or shut off water to any water user's property.
14. *Water Users Requiring Uninterrupted Supply* - The Owner will endeavor to give reasonable service, but does not guarantee a sufficient or uniform pressure, or an uninterrupted supply of water, and water users are cautioned to provide sufficient storage of water where an absolutely uninterrupted supply must be assured, such as for steam boilers, hot water heating systems, gas engines, etc. Fixtures or devices taking a supply of water directly from the service pipes, depending upon the hydraulic pressure of the pipe system of the Owner for supplying same under working pressure, would do so at the risk of the parties making such attachments, as the Owner will not be responsible for any accidents or damages to which such fixtures or devices are subject.

## Section 110.140: Fire Hydrants

Private fire hydrants may be installed by a written agreement with the Owner, provided that the Owner shall take into account all possible costs to the Owner and charge an equitable price therefore, all cost factors considered. Public fire hydrants may be installed by special agreement with the state, a municipality, political subdivision or political corporation and the Owner shall take into consideration the same factors when entering into such a contract.

In the event that the Owner undertakes to furnish fire hydrants as a part of the service to the water users of the Owner then all water users of the Owner shall be furnished with substantially the same degree of benefit from such hydrants and in the event that this is impossible, then those receiving a higher degree of benefit shall pay an additional charge above the rates for water herein provided for which shall be for such additional benefit. Such rates shall be equitable to all water users and shall depend upon cost studies made by the Owner's employees or consultants.

## Section 110.150: Meters

**Sub Section A. *Meters Furnished by Owner*** - Meters will be furnished, installed, owned, inspected, tested and kept in proper operating condition by the Owner, without cost to the water user, except that such water user shall pay a connection fee as set forth in these Rules and Regulations, which shall not be refundable. The complete record of tests and histories of meters will be made according to methods of the American Waterworks Association by the Owner as often as deemed necessary by the Owner.

**Sub Section B. *Meter Accuracy*** - Service meter errors which do not exceed two per cent (2%) fast or slow shall be considered as being within the allowable limits of accuracy for billing purposes. The percentage of error will be considered as that arrived at by taking the average of the error at full load and that at ten per cent (10%) load, unless a water user's rate of usage is known to be practically constant, in which case the error at such constant use will be used.

**Sub Section C. *Meter Location*** - Meters shall be set in an accessible location on the outside of buildings, except where otherwise directed by the Owner. All meters shall be set horizontally and never connected into a vertical.

**Sub Section D. *Requested Meter Tests*** - Meter tests requested by water users shall be performed without cost to the water user if the meter is found to be in excess of two (2%) of the legal limits. Otherwise, the water user for whom the requested test was made will be charged for the cost of making the test.

**Sub Section E. *Water User's Responsibility*** - The water user shall be responsible for any damage to the meter installed for his service for any cause other than the test.

## Section 110.160: Water User's Bill (Ordinance 243(c) 5/17/2010)

**Sub Section A.** Meters are read between the 20<sup>th</sup> and 25<sup>th</sup> of the month. Bills are mailed on or before the 5<sup>th</sup> of each month. Payment is due by the 15<sup>th</sup> of each month. Any payments received after the 15<sup>th</sup> of the month are subject to a 5% penalty. Shut-Offs for non-payment will begin on the 25<sup>th</sup> of the month and be completed by the last working day of the month. NO NOTICE IS REQUIRED. If water service is shut off for non-payment, a disconnect fee of twenty-five dollars (\$25.00) will be assessed by the Owner against that account. An additional fee of twenty-five dollars (\$25.00) shall be assessed by the Owner for reconnection of services. Reconnection of service will occur when all outstanding water and sewer charges plus the service fees for disconnect/reconnect are paid in full.

**Sub Section B.** All user accounts of the water and sewer service as provided by the Owner, having had services discontinued for non-payment shall be forwarded to a collection service, as contracted to by the Owner, by the 15<sup>th</sup> day following the disconnection of service. Any account abandoned shall immediately be forwarded to collections upon discovery. It shall be the responsibility of the user to notify the owner upon departure from the location and to finalize their account. The first date of notification shall be used in assessing the final charges. In the event the user fails to notify the owner, the first notification of any new user will be used as the last day of occupancy for the previous user account. Any damage resulting to the water user or any property of the water user or the landowner of the property occupied by the water user shall not be the responsibility of the Owner, its agents or employees. The Owner, its agents and employees



shall not be liable to the water user or the landowner of any property used, held, occupied, rented or leased by the water user for any such damage when disconnection is made according to these Rules and Regulations, and it shall be immaterial that no notice of such disconnection was given to the water user or to said property owner.

**Sub Section C.** In the event that water meters cannot be read at the close of the period for which billing is made because of inclement weather or the condition of the earth around the meters, which in the opinion of the Owner makes reading unusually difficult costly or impossible, then the bills may be estimated by using, at the discretion of the Owner, either the amount for water used by the water user in the previous billing period, or in the same billing period in the previous year, and the bill for such period shall be based upon such amount of water used. The meter reading and the bill rendered for any period subsequent to a period for which the bill of any water user shall be based upon such estimates shall take into account such estimates and such estimates shall be considered the actual amount of water consumed for the period or periods estimated. Estimates may be made in the case of one or more water users or for all water users of the Owner at the discretion of the Owner and it shall not be required that all bills be estimated in the event any one or more water users' bills are estimated as herein set forth.

**Sub Section D.** Bills may be submitted on a monthly, bimonthly or quarterly basis as the Owner may provide and direct in its actions establishing a rate schedule.

**Sub Section E.** The City of Pleasant Hope recognizes that at times, due to circumstances, a utility customer may not meet their obligation in a timely manner and deems it necessary to make exceptions to assist utility customers in their effort to remain current.

A Payment Plan is established in the event a user cannot meet their obligation to pay the current month's water and or sewer bill in full, then the user shall agree to in a written statement, on a form to be furnished by the owner, to provide a minimum payment of 50% (fifty percent) of the current month's billed amount and remit the balance due by the tenth of the next month. (Ordinance 251, 09/21/2009).

## **Section 110.170: Discontinuance of Water Service**

Water service will be discontinued to any water user or property on account or temporary vacancy of such property upon written request of the water user, without in any way affecting the agreement in force, and upon payment of all charges due as provided in the Rules and Regulations of the Owner.

In the event that water service is discontinued for any reason other than the temporary vacancy of the property, or in the event that it is discontinued and another source of water supply is used for the property, then reconnection shall be made only in the event that the minimum bill for the period of disconnection shall be paid by the water user or owner of the property. In addition, all previously unpaid bills, plus six percent (6%) interest thereon, shall be paid before reconnection shall be allowed for such water user or property.

In the event that an applicant for water services has purchased or otherwise acquired the property and holds title thereto and the previous landowner had discontinued water service other than because of the temporary vacancy thereof, said applicant shall not be required to pay the above reconnection charges as a result of the conduct or actions of the previous landowner but shall be required to pay only a connection charge of twenty-five (\$25.00) dollars.

In the case of a water user who had disconnected from the water system for a reason other than the vacancy of the property, or in the case of a landowner of such property desiring to restore service, then such user or landowner shall pay a reconnection charge of twenty-five (\$25.00) dollars for reconnecting said property to the water system of the Owner.

Except in the case of failure of the water user to pay the bill owed the Owner of the water service, as set forth in these Rules and Regulations, the Owner will not discontinue the service of any water user for violation of any Rule or Regulation of the Owner, without written notice of at least two (2) days, mailed to such customer at his address as shown upon the Owner's records, or personally delivered to the water user or an adult member of the household, advising the water user which Rule or Regulation has been violated for which service will be discontinued if the violation is permitted to continue, provide however, that where misrepresentation of use of water is with, or where a dangerous condition is found to exist on the water user's premises, service may be discontinued without notice in advance. Subject to the foregoing provisions, service rendered under any application, contract or agreement, may be discontinued by the Owner for any of the following reasons:

1. For willful or indifferent waste of water due to any cause.
2. For failure to protect from injury or damage the meter and connections, or for failure to protect and maintain the service pipe, or fixtures on the property of the water user or the property occupied by the water user in a condition satisfactory to the Owner.
3. For molesting or tampering by the water user, or others with the knowledge of the water user, with any meters, connections, service pipes, curb cocks, seals, valves or any other appliance of the Owner's controlling or regulating the water user's water supply.
4. For failure to provide to the Owner's employees or agents free and reasonable access to the property supplied, or for obstructing the way of ingress to the water meter or other appliances controlling or regulating the water user's water supply.
5. For non-payment of any account for water supplied, for water service, or for meter or service maintenance, or for any other fee or charge accruing under those Rules and Regulations, the rate schedule of the Owner.
6. In case of vacancy of the premises.
7. For violation of any Rules and Regulations of the Owner.
8. For any practice or act prohibited by the Missouri Division of Health.
9. For failure to allow any Owner's employee, officer, agent, or representative the right to inspect the water user's premises for any purpose set forth in these Rules and Regulations.

The discontinuance of the supply of water to a property for any reason shall not prevent the Owner from imposing any lawful remedy by action at law or otherwise for the collection of monies due from the water user or property owner.

Water will not be turned on to any property unless there is at least one adult person therein at such time to see that all water outlets in the premises are closed to prevent water damage by escaping water.

Only an employee, officer or agent of the Owner may turn on water and all applicants and water users are expressly forbidden to do so.

Tampering with or damaging a water meter shall carry a penalty of two hundred and fifty dollars (\$250.00).

## **Section 110.180: Agreement with Governmental and Public Bodies**

The Owner may make specific water service contracts with the United States of America, and its agencies, the State of Missouri, and its agencies, school districts and municipal corporations, and all other political subdivisions of the state of Missouri and of the United States of America, differing from stipulations set out in the rate schedule and Rules and Regulations. Such contracts must receive written approval by the State Director of the USDA before being placed in effect.

## **Section 110.190: Future Connections** (Ordinance 243(b) 7/19/2010)

### **Sub Section A. Definitions**

*General* - The connection fees and impact fees set forth in this ordinance are vital to the expansion and replacement cost of the Combined Water and Wastewater System of the City of Pleasant Hope.

*Connection Fee* - The rate charged to the property owner for connection to the water and wastewater system.

*Impact Fee* - The rate charged to the property owner to be used for future expansion and replacement of the combined water and wastewater system.

### **Sub Section B. Schedule of Fees**

#### **1. Water service connection fees**

##### **METER SIZE INSIDE CITY LIMITS**

3/4" X 5/8" \$550.00

2" \$1500.00

##### **OUTSIDE CITY LIMITS**

actual cost plus 25%

actual cost plus 25%

Meters and service connections larger than 2" will be charged at actual cost plus 10% inside the city limits and actual cost plus 25% outside of the city limits.

#### **2. Wastewater connection fees**

A four inch (4") wastewater tap shall be charged at the rate of \$150.00. It shall be the Owner/Owner's Plumbing Contractor's responsibility to make connection.

### 3. Subdivision development

Subdivision development will conform to the city ordinances relating to land development and subdivision standards.

#### **Sub Section C. Impact Fees**

All new Single Family and Multi-Family Residences and all Commercial Properties requiring a 3/4"x5/8" meter shall pay an impact fee of Two Hundred Fifty (\$250.00) Dollars per water meter connection and Two Hundred Fifty (\$250.00) Dollars per four inch (4") wastewater tap. Connections greater than 3/4"x5/8" shall pay an impact fee of \$500.00 and \$500.00 per four inch (4") wastewater tap.

### **Section 110.200: Main Extensions**

Extensions of water mains and lines shall be made by the Owner upon written application on a form approved by the Owner. If said application is approved, the main or line shall be extended provided that:

1. Applicant pays all construction, engineering and legal expense of such extension. Said payment shall be made in advance to the Owner or at the discretion of the Owner may be placed in a special escrow account. If the cost and expense of such construction is not ascertainable, the cost thereof shall be estimated and said amount shall be paid the Owner or put in a special escrow account and applicant shall agree to pay any additional costs incurred for such extension.
2. Before granting to an applicant the right to make such extension or before entering into an agreement therefore, the Owner shall first determine that the extension will not materially affect in an adverse manner the service rendered to any existing customers of the Owner. In the event the Owner determines, based upon information furnished by its employees and consultants, that such information would have a material adverse effect upon existing water users of the Owner, then the Owner shall not permit such extension.
3. In the event the applicant desires to perform the construction, the applicant shall pay all engineering, legal and administrative costs incurred by the Owner incident to the approval of the plans and specifications for construction of the improvements, the perfecting of all rights of way, and other costs incident to the construction.

A qualified inspector furnished by the Owner shall inspect the construction and materials. The cost of this inspector shall be borne by the applicant.

Upon satisfactory completion and testing, the improvements shall be dedicated, free and clear of all encumbrances, to the Owner.

The Owner and the appropriate agency of the State of Missouri will approve all plans and specifications for main extensions or improvements.

### **Section 110.210: Multi-Unit Dwellings** (Ordinance 243(d) 05/20/2013)

In the event that service is desired by a landowner of a multi-unit residence, said multi-unit residence being herein defined as a dwelling unit housing more than one family, and such definition shall include duplexes, triplexes, fourplexes, apartments and all similar structures and residences, then the landowner shall be required to acquire a water meter for each unit.

The City of Pleasant Hope shall be the sole judge and shall have full authority to determine how many units are contained in a residence and such determination shall be final and binding upon landowner of any such residence and upon any water user therein.

### **Section 110.220: Trailer Courts** (Ordinance 243(d) 05/20/2013)

In the event that a trailer court, also known as a mobile home court, desires service, then the landowner shall be required a water meter for each trailer space.

### **Section 110.230: Rate for Tank Sales**

The Board of Aldermen has the exclusive power to authorize tank sales or sales in bulk of water from such supply heads as it may designate at the rates to be determined by the Owner. The Owner may prohibit the sale of water in bulk to any user or non-user when water service is available from the Owner.

### **Section 110.240: Liability of Owner**

The Owner shall not in any way or under any circumstances be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the pressure, volume or supply of water due to any cause whatsoever. The Owner will undertake to use reasonable care and diligence in order to prevent and avoid interruptions and fluxuations in the service, but it cannot and does not guarantee that such will not occur. The Owner shall not be held responsible for any claim made against it by reason of the breaking of any mains or service pipes, or by reason of any interruption of the supply of water caused by the breaking of machinery or stoppage for necessary repairs, and no persons shall be entitled to damages nor have any portion of a payment refunded for any interruption of service.

### **Section 110.250: Other**

No person shall turn the water on or off at any street valve, corporation cock, curb cock or other street connection, or disconnect or remove any meter without the consent of the Owner.

Any complaint against the service or employees of the Owner should be made at the office of the Owner in writing.

The service pipes, meters and fixtures on the water user's property shall at all reasonable hours be accessible to the Owner for observation or inspection.

### **Section 110.300: Water Supply Shall Be Insufficient To Meet All of the Needs of the Water Users**

In the event that the total water supply shall be insufficient to meet all of the needs of the water users, or in the event there is a shortage of water, the Owner may pro-rate the water available among the various users on such basis as it deemed equitable by the Owner and may also prescribe a schedule of hours, covering the use of water for purposes specified and require adherence thereto, or prohibit the use of water for certain specified purposes if at any time the total water supply shall be insufficient to meet all of the needs of all of the water users for domestic, livestock, garden and other purposes, and the Owner must first satisfy all the needs of the water users for domestic purposes before supplying any water for livestock purposes.

## **Chapter 200 – Wastewater Rules and Regulations** (Ordinance 287 5/20/2013)

### **Section 210.001: Water & Sewer Departments Combined into Single Department** (Ordinance 130 11/29/1988)

### **Section 210.002: Historical Development of the Water System**

**Sub Section A.** The authorized Missouri Rural Water (Ordinance 257, 04/19/2010) to smoke test to ensure the integrity of the sewer system

**Sub Section B.** The addition of a Chlorination/Dechlorination System at the Lagoon as required by Department of Natural Resources also required the City to take out a Small Borrowed Loan not to exceed \$98,000. The Board of Aldermen authorized the issuance and sale of an obligation and authorizing certain actions in connection with the issuance and purchase of the obligations. (Ordinance 277 8/27/2012).

### **Section 210.100: Rules and regulations for the operation and use of public and private sewers**

This includes but is not limited to drains, private sewage to disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system(s): and providing penalties for violations.

### **Section 210.101: Definitions**

Unless the context specifically indicates otherwise:

*Applicant* - shall mean any individual, firm, partnership, corporation or other agency owning land within the municipality applying for a sewer service.

*Board* - shall mean the Board of Aldermen of the City of Pleasant Hope, Missouri.

*BOD* - (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Celsius expressed in milligrams per liter (mg/l).

*Building Drain* - shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

*Building Sewer* - shall mean the extension from the building drain to the public sewer or other place of disposal.

*City* - shall mean the City of Pleasant Hope, Missouri

*Combined Sewer* - shall mean a sewer receiving both surface runoff and sewage.

*Contributor 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 the Wastewater Treatment System.

*Commercial Contributor* – shall mean any contributor to the City Wastewater Treatment System who is classified as industrial, institutional, commercial and whose lot, parcel or real estate, or building is not used for residential purposes.

*Garbage* - shall mean solid wastes from the domestic and commercial preparation, cooking, and

dispensing of food, and from the handling, storage, and sale of produce.

*Industrial Wastes* - shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

*Natural Outlet* - shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

*Normal Domestic Wastewater* - shall mean wastewater that has a BOD concentration of not more than 200 mg/1 and a suspended solids concentration of not more than 250 mg/1.

*Operation and Maintenance* - shall mean all expenditures during the useful life of the Wastewater Treatment System for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

*Person* - shall mean any individual, firm, company, association, society, corporation, or group.

*pH* - shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

*Properly Shredded Garbage* - shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

*Private Sewage Disposal System* – shall mean a non-municipal on-site sewage disposal system regardless of lot size or acreage.

*Public Sewer* - shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

*Public Works Director* - shall mean the person or persons duly authorized by the City of Pleasant Hope to inspect and approve the installation of building sewers and their connection to the public sewer system.

*Replacement* - shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the Wastewater Treatment System to maintain the capacity and performance for which such works were designed and constructed. The term "Operation and Maintenance" includes replacement.

*Residential Contributor* - shall mean any contributor to the City Wastewater Treatment System whose lot, parcel or real estate, or building is used for domestic dwelling purposes only.

*Sanitary Sewer* - shall mean a sewer which carries sewage and to which storm, surface, and groundwater are not intentionally admitted.

*Sewage* - shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.

*Sewer* - shall mean a pipe or conduit for carrying sewage.

*Sewer/wastewater* – use and services is also known as sewer/wastewater usage and services.

*Shall* - is mandatory: *May* - is permissive.

*Slug* - shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

*SS* - (denoting 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.

*Storm Drain* - (sometimes termed -storm sewer) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

*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.

*Useful Life* - shall mean the estimate period during which a treatment system or its components will be operated.

*Watercourse* - shall mean a channel in which a flow of water occurs, either continuously or intermittently.

*Wastewater Treatment System* - shall mean any devices, systems for the storage or treatment, recycling and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewer/wastewaters, outfall sewer/wastewaters, sewage collection systems, individual systems, pumping, power and other equipment and their appurtenances; sewer/wastewater extension improvements, 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 sludge, 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.

*Water meter* - shall mean a water volume measuring and recording device, furnished and/or installed by the City Of Pleasant Hope or furnished and/or installed by a user and approved by the City Of Pleasant Hope.

*Water/Wastewater Operator* - shall mean the manager of the Wastewater Treatment and/or of Water Pollution Control of the City of Pleasant Hope or his authorized deputy, agent, or representative.

## **Section 210.110: General**

1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner or public or private property within the City of Pleasant Hope, Missouri, or in any area under the jurisdiction of said City of Pleasant Hope, Missouri, any human or animal excrement, garbage, or other objectionable waste.
2. It shall be unlawful to discharge to any natural outlet within the City of Pleasant Hope, Missouri, or in any area under the jurisdiction of said City of Pleasant Hope, Missouri, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City of Pleasant Hope, Missouri and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City of Pleasant Hope, Missouri, is hereby required at

his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within One Hundred Eighty (180) Days after date of official notice to do so, provide that said public sewer is within Three Hundred (300) Feet (91.4) Meters of the property line.

### **Section 210.120: Compliance**

1. Where a public sanitary or combined sewer is not available under the provisions of Section 210.110(1) of this Chapter, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this ordinance, the requirement of Polk County as defined in the county On-Site Disposal Ordinance and the State of Missouri RSMo 701.025 to 7010.59.
2. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the City Of Pleasant Hope, Missouri. The application for such permit shall be made on a form furnished by the City Of Pleasant Hope, Missouri, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the City Of Pleasant Hope, Missouri. A permit and inspection fee of Ten (\$10.00) dollars shall be paid to the City of Pleasant Hope, Missouri at the time the application is filed.
3. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the City Of Pleasant Hope, Missouri. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the City Of Pleasant Hope, Missouri when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within Eight (8) hours of the receipt of notice by the City Of Pleasant Hope, Missouri.
4. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Missouri. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities (commonly known as lateral lines) where the area of the lot is less than 43,560 square feet (One Acre). Three acres is recommended. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
5. At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material..
6. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City of Pleasant Hope, Missouri.
7. No statement contained in this Chapter shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
8. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

### **Section 210.130: Permits**

1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Public Works Director.
2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the



owner or his agent shall make application on a special form furnished by the City of Pleasant Hope. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Public Works Director. A permit and inspection fee of TEN (\$ 10.00) dollars for sewer permit shall be paid to the City at the time the application is filed.

3. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City of Pleasant Hope from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Public Works Director, to meet all requirements of this ordinance.
6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Pleasant Hope.
7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor, in all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Pleasant Hope. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Public Works Director before installation.
10. The applicant for the building sewer permit shall notify the Public Works Director when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Public Works Director or his representative.
11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City of Pleasant Hope.

### **Section 210.130: Storm Water Compliances**

1. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
2. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined or storm sewers, or to a natural outlet approved by the

Public Works Director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Public Works Director, to a storm sewer, combined sewer, or natural outlet.

**3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:**

- a)** Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- b)** Any waters or wastes containing toxic or poisonous solids, liquids, or gasses in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/1 as CN in the wastes as discharged to the public sewer.
- c)** Any waters or wastes having a pit lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- d)** Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but no limited to, ashes, cinders, sand, mud shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and flesh, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Any waters or wastes having:

- 1.** a 5-day BOD greater than 300 parts per million by weight, or
- 2.** containing more than 350 parts per million by weight of suspended solids, or
- 3.** having an average daily flow greater than 2 percent of the average sewage flow of the city, shall be subject to the review of the Superintendent.

Where necessary in the opinion of the Public Works Director, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:

- 1.** reduce the bio-chemical oxygen demand to 300 parts per million by weight, or
- 2.** reduce the suspended solids to 350 parts per million by weight, or
- 3.** control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Public Works Director and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- 4.** If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in above, and which in the judgment of the Public Works Director may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Public Works Director may:
  - a)** Reject the wastes
  - b)** Require pre-treatment to an acceptable condition for discharge to the public sewers
  - c)** Require control over the quantities and rates of discharge
  - d)** Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.
- 5.** If the Public Works Director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the

Public Works Director, and subject to the requirements of all applicable, codes, ordinances, and laws.

- a) Any liquid or vapor having a temperature higher than one hundred fifty (150)° F (65°C).
- b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150)° F (0 and 65° C).
- c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 metric) or greater shall be subject to the review and approval of the Public Works Director.
- d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Public Works Director for such materials.
- f) Any waters or wastes containing phenols or other taste-or-odor-producing substances, in such concentrations exceeding limits which may be established by the Public Works Director as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- h) Any waters or wastes having a pH in excess of 9.5.
- i) Materials which exert or cause:
  - 1. Unusual concentration of inert suspended solids (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - 3. Unusual DOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- j) Waters or wastes containing substances which are not amenable or treatment or reduction by the sewage treatment processes employee or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- k) Any waters or wastes having (1) a 5-day BOD greater than 300 parts per million by weight, or (2) containing more than 350 parts per million by weight of suspended solids, or (3) having an average daily flow greater than 2 percent of the average sewage flow of the City, shall be subject to the review of the City Of Pleasant Hope, Missouri. Where necessary in the opinion of the City Of Pleasant Hope, Missouri, the Owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to

200 parts per million by weight, and (2) reduce the suspended solids to 200 parts per million by weight, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City Of Pleasant Hope, Missouri and no construction of such facilities shall be commenced until said approvals are obtained in writing.

5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated above, and which in the judgment of the Public Works Director may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
  - a) Reject the wastes.
  - b) Require pre-treatment to an acceptable condition for discharge to the public sewers.
  - c) Require control over the quantities and rates of discharge.
  - d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 210.160 of this Article.

If the Public Works Director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Public Works Director, and subject to the requirements of all applicable, codes, ordinances, and laws.

6. Grease, oil, and sand interceptors shall be provided when in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Public Works Director, and shall be located as to be readily and easily accessible for cleaning and inspection.
7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
8. When required by the Public Works Director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Public Works Director. The manhole shall be installed by the Owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
9. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods of the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken.) Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

10. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City Of Pleasant Hope, Missouri and any industrial concern whereby any industrial waste of unusual strength or character may be accepted by the City Of Pleasant Hope, Missouri for treatment, subject to payment therefor, by the industrial concern.

### **Section 210.140: Tampering**

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

### **Section 210.150: Inspection Authority**

1. The Public Works Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Public Works Director or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, ceramic, paper, or other industries beyond that a direct bearing on the kind and source of the sewers or waterways or facilities for waste oil, refining, point having discharge to treatment.
2. While performing the necessary work on private properties, the Public Works Director or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company the gauging and sampling operation, except as by negligence or failure of the company conditions and growing out of such may be caused to maintain safe conditions.
3. The Public Works Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
4. Any person found to be violating any provision of this ordinance shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
5. Any person who shall continue any violation beyond the time limit provided by the City of Pleasant Hope, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding (\$ 100.00) ONE HUNDRED dollars for each violation. Each day in which any such violations shall continue shall be deemed a separate offense.
6. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

### **Section 210.160: Assessed Service Charges:**

There is hereby assessed against and, the City of Pleasant Hope shall collect, sewer/wastewater service charges for the use and/or services rendered by the City Wastewater System from the owners or

occupants of each lot, parcel of real estate or building which is connected to City Wastewater System or which discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly into the City Wastewater System. The rates, fees, and charges for the use and services or availability of the use and services of the City Wastewater System owned and operated by the City of Pleasant Hope, shall be necessary and adequate to provide for the maintenance, operation and improvement of such Wastewater System Treatment are as hereinafter specified:

**Sub Section A.** No wastewater/sewer/wastewater services shall be furnished or rendered by the City's Wastewater System or the use of any of the facilities free of charge to any customer or contributor.

**Sub Section B.** Monthly bills are required and all contributors shall be charged and collected by the City of Pleasant Hope, for wastewater/sewer/wastewater service furnished or made available by the City Wastewater System. The shall be based upon the quantity of water used and shall be measured by the water meter or meters installed on the premises or for which service is available, unless suitable wastewater measuring and recording equipment is furnished and maintained by the person receiving service and approved by the City.

**Sub Section C.** For residential contributors, monthly charges shall be based on metered water service except for the months of June, July, August and September which an average monthly flat rate for water used during the months of January, February and March shall be billed. If a residential contributor has not established a January, February and March average, the monthly charge shall remain metered until such time that an average rate can be established.

**Sub Section D.** For industrial, institutional and commercial contributors, user charges shall be based on water used during the current month. If a commercial or industrial contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on a wastewater meter(s) or separate water meter(s) installed and maintained at the contributor's expense and in a manner acceptable to the City. Said charges shall be as follows:

For all residential contributors or persons for whom service is available, \$11.00 per month plus \$2.70 per 1,000 gallons except as stated in the following paragraph.

For any industrial, commercial or other contributor who discharges processed wastewater or other wastewater into the City Wastewater Treatment System which contains more than 1.7 pounds of BOD per thousand gallons and/or more than 2.0 pounds of suspended solids per thousand gallons, a charge of \$11.00 per month plus \$2.70 per thousand gallons for all wastewater discharged, plus \$ 0.252 per pound for each pound of BOD in excess of 1.7 pounds per 1,000 gallons, plus \$ 0.252 per pound for each of suspended solids in excess of 2.0 pounds per 1,000 gallons. The user charges put into effect by this ordinance includes an additional allowance for inflow and infiltration into the collection and interceptor system.

For residential wastewater contributors without City water, an annual monthly flat rate equal to the average flat winter rate for all residential contributors shall be billed monthly and reviewed annually in April and adjusted for the New Year starting January 1st.

Project-related revenues (e.g. sale of sludge or effluent; sale of crops or hay grown on Wastewater lots, parcels, or real estate are to be used to offset the cost of operational and maintenance costs of the Wastewater Treatment System.

## **Section 210.170: Funds Collected Under this Ordinance Shall be Deposited as Follows:**

**Sub Section A. Sewer Replacement & Extension Fund:** A Sewer Replacement and Extension Fund has been created and established in the treasury of the City and a minimum of \$6,000.00 shall be deposited annually into said account solely to pay the cost of any unusual or extraordinary maintenance, repairs or replacements, exclusive of any normal operational expenses, or for the purpose of paying the cost of extensions or improvements to the system which will either enhance its revenue producing capacity or provide a higher or better degree of service or for the purpose of replacing or repairing portions of the system or major items of the plant and equipment which have been either fully depreciated and are worn out or have become obsolete, uneconomical or inefficient.

**Sub Section B. Sewer Revenue Fund:** A Sewer Revenue Fund has been created and established in the treasury of the City for all of the income and revenues of the Wastewater Treatment System, including all income and revenues from all extensions and improvements constructed or acquired, will be paid into the Sewer Revenue Fund and that the same will not be mingled with any other funds of the City. The current expenses of operation and maintenance of the City Wastewater Treatment System, as hereinafter defined, shall be paid by the City from month to month as the first charges against the Sewer Revenue Fund as the same become due and payable. Such current expenses shall include all reasonable and necessary costs of operating, repairing, maintaining and insuring the system. The City agrees that the current expenses of the operation and maintenance of the system in any year shall not exceed the reasonable and necessary amounts.

All moneys held in the Sewer Revenue Fund and Sewer Replacement and Extension Fund and any accounts created and maintained under the terms and provisions of this Ordinance shall be kept on deposit in separate bank accounts, in a bank or banks which are insured by the Federal Deposit Insurance Corporation (FDIC).

## **Section 210.180: Rates for all classes of contributors shall be reviewed at least annually:**

**Sub Section A.** To maintain the proportionate distribution of operation and maintenance costs between contributors and contributor classes.

**Sub Section B.** To generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the Wastewater Treatment System

**Sub Section C.** To apply excess revenues collected from a class of contributors to the cost of operation attributable to that class or contributors for the next year, and to adjust the rate accordingly.

## **Section 210.190: Cost of Managing the Effluent or the Sludge**

Any contributor which discharges any toxic or unusually large amount of pollutants which cause an increase in the cost of managing the effluent or the sludge from the City Wastewater Treatment System, or any contributor which discharges any substance which singularly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the Wastewater Treatment System, shall pay for such increased costs. The charge to each such contributor shall be determined by the Waste & Wastewater Operator and approved by the Board of Aldermen.

## **Section 210.200: Calculation of Wastewater Service Usages and Rendering of Charges.**

All water meters shall be read and bills for both water and wastewater services shall be rendered monthly. The City shall calculate the amount of each bill for water service for the specified period and shall then add the amount for wastewater charges based on the rates in Section 200.200 of this

Ordinance computed as specified, and shall render to each customer a single combined bill for such water and wastewater services.

Water meters are read between the 20th and 25th of the month. Bills are mailed on or before the 5th of each month. Payment is due by the 15th of each month. Any payments received after the 15th of the month are subject to a 5% penalty.

All user accounts of the water and wastewater service as provided by the City of Pleasant Hope, having had services discontinued for non-payment shall be forwarded to a collection service, as contracted by the City of Pleasant Hope, by the 15th day following the disconnection of service. Any account abandoned shall immediately be forwarded to collections upon discovery. It shall be the responsibility of the contributor to notify the City upon departure from the location and to finalize their account. The first date of notification shall be used in assessing the final charges. In the event the contributor fails to notify the City, the first notification of any new contributor will be used as the last day of occupancy for the previous contributor account. Any damage resulting to the water/wastewater user or any property of the water/wastewater user or the landowner of the property occupied by the water/wastewater user shall not be the responsibility of the City, its agents or employees. The City, its agents and employees shall not be liable to the water/wastewater user or the landowner of any property used, held, occupied, rented or leased by the water/wastewater user for any such damage when disconnection is made according to these Rules and Regulations, and it shall be immaterial that no notice of such disconnection was given to the user or to said property owner.

In the event that water meters cannot be read at the close of the period for which billing is made because of inclement weather or the condition of the earth around the meters, which in the opinion of the City makes reading unusually difficult costly or impossible, then the bills may be estimated by using, at the discretion of the City, either the amount for water used by the water user in the previous billing period, or in the same billing period in the previous year, and the bill for water and wastewater for such period shall be based upon such amount of water used. The meter reading and the bill rendered for any period subsequent to a period for which the bill of any water user shall be based upon such estimates shall take into account such estimates and such estimates shall be considered the actual amount of water consumed for the period or periods estimated. Estimates may be made in the case of one or more water users or for all water users of the City at the discretion of the City and it shall not be required that all bills be estimated in the event any one or more water users' bills are estimated as herein set forth. Bills may be submitted on a monthly, bimonthly or quarterly basis as the City may provide and direct in its actions establishing a rate schedule.

## **Section 210.210: Future Connections:**

### **Sub Section A. Generally**

The connection fees and impact fees set forth in this ordinance are vital to the expansion and replacement cost of the Combined Water and Wastewater System of the City of Pleasant Hope.

### **Sub Section B. Definitions**

*Connection Fee* - The rate charged to the to the property owner for connection to the wastewater system.

*Impact Fee* - The rate charged to the property owner to be used for future expansion and replacement of the combined water and wastewater system.

### **Sub Section C. Schedule of Fees**

#### **1. Water service connection fees:**

METER SIZE INSIDE CITY LIMITS		OUTSIDE CITY LIMITS
3/4"X5/8"	\$550.00	actual cost plus 25%
2"	\$1500.00	actual cost plus 25%

Meters and service connections larger than 2" will be charged at actual cost plus 10% inside the city limits and actual cost plus 25% outside of the city limits.



## **2. Wastewater connection fees**

A four inch (4") wastewater tap shall be charged at the rate of \$150.00. It shall be the Homeowner/Owner's Plumbing Contractor's responsibility to make connection.

## **3. Subdivision development**

Subdivision development will conform to the city ordinances relating to land development and subdivision standards.

### **Sub Section D. Impact Fees**

All new Single Family and Multi-Family Residences and all Commercial Properties requiring a 3/4"x5/8" meter shall pay an impact fee of Two Hundred Fifty (\$250.00) Dollars per water meter connection and Two Hundred Fifty (\$250.00) Dollars per four inch (4") wastewater tap. Connections greater than 3/4"x5/8" shall pay an impact fee of \$500.00 and \$500.00 per four inch (4") wastewater tap.

### **Sub Section E. Main Extensions**

Extensions of wastewater mains and lines shall be made by the City of Pleasant Hope upon written application on a form approved by the Board of Aldermen. If said application is approved, the main or line shall be extended provided that:

Applicant pays all construction, engineering and legal expense of such extension. Said payment shall be made in advance to the City or at the discretion of the City may be placed in a special escrow account. If the cost and expense of such construction is not ascertainable, the cost thereof shall be estimated and said amount shall be paid the City or put in a special escrow account and applicant shall agree to pay any additional costs incurred for such extension.

Before granting to an applicant the right to make such extension or before entering into an agreement therefore, the City shall first determine that the extension will not materially affect in an adverse manner the service rendered to any existing customers of the City. In the event the City determines, based upon information furnished by its employees and consultants, that such information would have a material adverse effect upon existing users of the City Wastewater Treatment System, then the City shall not permit such extension.

In the event the applicant desires to perform the construction, the applicant shall pay all engineering, legal and administrative costs incurred by the City incident to the approval of the plans and specifications for construction of the improvements, the perfecting of all rights of way, and other costs incident to the construction.

A qualified inspector furnished by the City shall inspect the construction and materials. The cost of this inspector shall be borne by the applicant.

Upon satisfactory completion and testing, the improvements shall be dedicated, free and clear of all encumbrances, to the City.

The City and the appropriate agency of the State of Missouri will approve all plans and specifications for main extensions or improvements.

### **Sub Section F. Multi-Unit Dwellings**

In the event that wastewater service is desired by a landowner of a multi-unit residence, said multi-unit residence being herein defined as a dwelling unit housing more than one family, and such definition shall include duplexes, triplexes, four-plexes, apartments and all similar structures and residences, then the landowner shall be required to acquire a water meter for each unit.

The City shall be the sole judge and shall have full authority to determine how many units are contained in a residence and such determination shall be final and binding upon landowner of any such residence and upon any water/wastewater user therein.

### **Sub Section G. Multi-Unit Dwellings**

In the event that a trailer court, also known as a mobile home court, desires wastewater service, then the landowner shall be required to have a water meter for each trailer space and a separate wastewater connection for each trailer space.

### **Section 210.220: Liability of City**

The City shall not in any way or under any circumstances be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the wastewater service due to any cause whatsoever. The City will undertake to use reasonable care and diligence in order to prevent and avoid interruptions and fluxuations in the service, but it cannot and does not guarantee that such will not occur. The City shall not be held responsible for any claim made against it by reason of the breaking of any mains or service pipes, or by reason of any interruption of the wastewater lines caused by the breaking of machinery or stoppage for necessary repairs, and no persons shall be entitled to damages nor have any portion of a payment refunded for any interruption of service.

# **Chapter 220 – Cross Connection Control to Protect the City of Pleasant Hope Water Supply from Contamination and/or Pollution**

## **Section 220.100: Purpose**

### **Sub Section A. Generally**

1. The purpose of this ordinance is to protect the City of Pleasant Hope's public water supply from contamination or pollution by containing within the consumer's internal distribution system or private water system contaminants or pollutants which could backflow through the service connection into the City of Pleasant Hope potable water supply system.
2. To promote the elimination, containment, isolation, or control of existing cross connections, actual or potential, between the public or consumer's potable water system and non-potable water system, plumbing fixtures, and industrial process systems.
3. To provide for the maintenance of continuing program of cross connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.
4. To provide penalties for the violating any provision of the this ordinance with written notice stating the nature of the violation and a reasonable time limit for the satisfactory correction thereof.

### **Sub Section B. Application**

This ordinance shall apply to all premises served by the public potable water system of the City of Pleasant Hope.

### **Sub Section C. Policy**

1. This ordinance will be reasonably interpreted by the water purveyor. It is the water purveyor's intent to recognize the varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.
2. The water purveyor shall be primarily responsible for protection of the public potable water distribution system from contamination or pollution due to backflow of contaminants or pollutants through the water service connection. The cooperation of all consumers is required to implement and maintain the program to control cross connections. The water purveyor and consumer are jointly responsible for preventing contamination of the water system.
3. If, in the judgement of the water purveyor or his authorized representative, cross connection protection is required through either piping modification or installation of an approved backflow prevention assembly, due notice shall be given to the consumer. The consumer shall immediately comply by providing the required protection at his own expense; and failure, refusal, or inability on the part of the consumer to provide such protection shall constitute grounds for discontinuing water service to the premises until such protection has been provided.

### **Sub Section D. Definitions**

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

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

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

*Backflow* – means the flow other than the intended direction of flow, of any foreign liquids, gases or substance into the distribution system of the public water supply.

*Backflow prevention assembly* – means any double check valve or reduced pressure principle backflow

preventer having resilient-seated shut-off valves on both the upstream and the downstream end and the necessary test cocks as integral parts of the assembly.

*Consumer* – means the owner of person in control of any premises supplied by or in any manner conned to a public water system.

*Containment* – mean protection of the public water supply by installing a back flow prevention assembly or air gap separation on the main service line to a facility.

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

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

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

- a) Hazard, Health – any condition, device or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.
- b) Hazard, Plumbing – a plumbing type cross connection in a consumer's water supply system and has not been properly protected by a vacuum breaker, air gap separation or backflow prevention assembly.
- c) Hazard, Pollution – an actual or potential threat to the physical properties of the water system or to the portability of the public or consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.
- d) Hazard, System – an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

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

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

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

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

*Water purveyor* – means the owner, operator, or individual in responsible charge of the public water system.

#### **Sub Section E. Cross Connection Prohibited.**

1. No water service connection shall be installed or maintained to any premises where actual or potential cross connections to the public potable or consumer's water system may exist unless such actual or potential cross connections are abated or controlled to the satisfaction of the water

purveyor, and as required by the laws and regulations of the Missouri Department of Natural Resources.

2. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public potable or consumer's water system unless and auxiliary water supply and the method of connection and use of such supply shall have been approved by the water purveyor and the Missouri Department of Natural Resources.
3. No water service connection shall be installed or maintained to any premises in which the plumbing system, facilities and fixtures have not been constructed and installed using acceptable plumbing practices considered by the water purveyor ads necessary for the protection of health and safety.

**Sub Section F. Survey and Investigations.**

1. The consumer's premises shall be open at all reasonable times to the water purveyor, or his authorized representative, for the conduction of surveys and investigations of the water use practices within the consumer's premises to determine whether there are actual or potential cross connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.
2. On request by the water purveyor or his authorized representative, the consumer shall furnish information on water use practices with his premises.
3. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential cross connections on his water system through which contaminants or pollutants could backflow into his or the public water system.

**Sub Section G. Type of Protection Required.**

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

1. An approved air gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard.
2. An approved air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public potable water system may be contaminated with a substance that could cause a system or health hazard.
3. An approved air gap separation or an approved reduced pressure principle backflow prevention assembly or and approved double check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a polluttional hazard not dangerous to health.

**Sub Section H. Where Protection is Required.**

1. An approved backflow prevention assembly shall be installed on each service line to a consumer's water system serving premises where, in the judgement of the water purveyor or the Missouri Department of Natural Resources, actual or potential hazards to the public potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard.
2. An approved air gap separation of reduced pressure principle backflow prevention assembly shall be installed at the service connection or within any premises where, in the judgement of the water purveyor or the Missouri Department of Natural Resources, the nature and extent of the activities on the premises, or the materials used in the connection with the activities, or material stored on the premises, would present and immediate and dangerous hazard to health should a cross connection occur, even though such cross connection may not exist at the time of the backflow prevention assembly is required to be installed. This includes but is not limited to the following situations:
  - a) Premises having auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the water purveyor and the Missouri Department of Natural Resources.
  - b) Premises having internal cross connections that are not correctable or intricate plumbing arrangements which make it impractical to ascertain whether or not cross connections exits.

- c) Premises where entry is restricted so that inspection for cross connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross connections not exist.
- d) Premises having a repeated history of cross connections be established or reestablished.
- e) Premises, which due to the nature of the enterprise therein, are subject to recurring modification or expansion.
- f) Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where cross connection could reasonably be expected to occur. This shall include handling of process waters and cooling waters.
- g) Premises where materials of a toxic or hazardous nature are handled such that if back-siphonage or back-pressure should occur, a serious health hazard may result.

**Sub Section I.** Specific facilities which require approved air gap separation or reduced pressure principle backflow prevention assembly.

1. The type of facilities listed below fall into one or more of the categories of premises where an approved air gap separation or reduced pressure principle backflow prevention assembly is required by the purveyor and the Missouri Department of Natural Resources to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the water purveyor and the Missouri Department of Natural Resources.
  - a) Aircraft and missile manufacturing plants
  - b) Automotive plants including those plants which manufacture motorcycles, automobiles, trucks, recreational vehicles and construction of agricultural equipment
  - c) Potable water dispensing stations which are served by a public water system
  - d) Beverage bottling plants including dairies and breweries
  - e) Canneries, packing houses and reduction plants
  - f) Car washes
  - g) Chemical, biological and radiological laboratories including those in high schools, trade schools, colleges, universities and research institutions
  - h) Hospitals, clinics, medical buildings, autopsy facilities, morgues, mortuaries, dental clinics, veterinary facilities and other medical facilities
  - i) Metal or plastic manufacturing, fabrication, cleaning, plating or processing facilities
  - j) Plants manufacturing paper and paper products
  - k) Plants manufacturing, refining, compounding or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum or petroleum products, pharmaceuticals, radiological materials or any chemical which would be a contaminant to the public water system
  - l) Commercial facilities that use herbicides, pesticides, fertilizers or any chemical which would be a contaminant to the public water system
  - m) Plants processing, blending or fining animal, vegetable or mineral oils
  - n) Commercial laundries and dye works
  - o) Sewage, storm water and industrial waste treatment plants and pumping stations
  - p) Waterfront facilities including piers, docks, marinas and shipyards
  - q) Industrial facilities which recycle water
  - r) Restricted or classified facilities or other facilities closed to the supplier of water or the department
  - s) Fire sprinkler systems using any chemical additives
  - t) Auxiliary water systems
  - u) Irrigation systems with facilities for injection of pesticides, herbicides or other chemicals or with provisions for creating back pressure
  - v) Portable tanks for transporting water taken from a public water system
  - w) Facilities which have pumped or repressurized cooling or heating systems that are served by a public water system, including all boiler systems.

**Sub Section J.** Specific facilities which require approved double check valve assembly.

The types of facilities listed below are premises where an approved double check valve assembly is required by the purveyor and the Missouri Department of Natural Resources as the minimum level of protection for the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the water purveyor and the Missouri Department of Natural Resources.

**1. Types of facilities representing low hazard cross connections**

- a) Tanks to store water from the public water system for firefighting only, unless the tanks meet the requirements of the department for construction to maintain bacteriological quality of the water
- b) Fire sprinkler systems not using chemical additives. This only applies to new fire sprinkler systems or fire sprinkler systems scheduled for modification
- c) Irrigation systems without facilities for injection of pesticides or other chemicals. The backflow prevention assembly may be installed between the customer service line and the irrigation system
- d) Cross connections that could permit introduction of contaminants into the public or customer water system and create a nuisance, be aesthetically objectionable, or cause minor damage to the water distribution system or its appurtenances.

**Sub Section K.** Customer facilities not listed in Sub Section I or J above may be designated a backflow hazard by written notification from the water purveyor. The notice shall specify the nature of the customer activity that necessitates designation of the facility as a backflow hazard, the type of backflow protection required and the date by which the customer shall install or construct the required assembly.

**Sub Section L.** Backflow Prevention Assemblies.

Any backflow prevention assembly required to protect the facilities listed in **Sub Section I** and **J** shall be of model or construction approved by the water purveyor and the Missouri Department of Natural Resources.

1. Air gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the receiving vessel, but in no case less than one inch.
2. A double check valve assembly or a reduced pressure principle back flow prevention assembly shall be approved by the purveyor, and shall appear on the current list of approved backflow prevention assemblies maintained by the Missouri Department of Natural Resources.

**Sub Section M.** Installation

1. Backflow prevention assemblies required by this ordinance shall be installed at a location and in a manner approved by the water purveyor and shall be installed at the expense of the water consumer.
2. Backflow prevention assemblies shall be installed and in an orientation as specified by the manufacturer. The Department of Natural Resources maintains a list of approved backflow prevention assemblies and the orientation allowed for each assembly.
3. Modification to an assembly using spare parts other than those of the original manufacturer invalidates the approval of the device.
4. No bypass piping shall be allowed around a backflow prevention assembly unless the bypass is equipped with the same degree of backflow prevention protection and is tested annually.
5. Backflow prevention assemblies installed on the service line to a customer's water system shall be located so as to be readily accessible for maintenance and testing and protected from freezing. No reduced pressure principle backflow prevention assembly shall be located where it will be submerged or subject to flooding by any fluid.
6. No plug or additional piping shall be affixed to the pressure differential relief port valve (except for specifically designed funnel apparatus available from the manufacturer). The pressure differential relief port must be a minimum of twelve (12) inches above floor level.

**Sub Section N.** Testing of Backflow Prevention Assemblies

1. It shall be the duty of the consumer at any premises on which backflow prevention assemblies required by this ordinance are installed to have inspections, tests, and overhauls made in accordance with the following schedule or more often where test results indicate a need. The water purveyor may establish the annual test date based on the nature of the customer's water use requirements.
  - a) Air gap separations shall be inspected at the time of installation and at least every twelve months thereafter.
  - b) Double check valve assemblies shall be inspected and tested for proper operation at the time of installation and at least every twelve months thereafter.
  - c) Reduced pressure principle backflow prevention assemblies shall be inspected and tested for proper operation at the time of installation and at least every twelve months thereafter.
2. Inspections, tests, and overhauls of backflow prevention assemblies shall be made at the expense of the water consumer and shall be performed by a State of Missouri certified backflow prevention assembly tester.
3. Whenever backflow prevention assemblies required by this ordinance are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.
4. A modification to an assembly using spare parts other than those of the original manufacturer invalidates the approval of the device.
5. The water consumer must maintain a complete record of each backflow prevention assembly from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, and repairs. Records of inspections, tests, repairs and overhauls shall be made available to the water purveyor upon request.
6. Backflow prevention assemblies shall not be bypassed, made inoperative, removed, or otherwise made ineffective.

**Section 220.110: Violations.**

1. Any water consumer found in violation of this ordinance shall receive a written notice stating the nature of the violation and provided 20-working days for the satisfactory correction thereof. All repairs and replacements shall be at the owner's expense.

Any water consumer who shall continue to be in violation beyond the time limit shall be denied water service until such time that the a properly operated backflow prevention assemblies has be certified by a State of Missouri certified backflow prevention assembly tester.