

## Chapter 111 - Water

**111.010** **Definitions-**Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:

1. **City** shall mean the City of Moscow Mills, Missouri.
2. **Operation and Maintenance** shall mean all expenditures during the useful life of the water distribution system for materials, labor, utilities, and other items which are necessary for managing and maintaining the water distribution system to achieve the capacity and performance for which such system was designed and constructed.
3. **Replacement** shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the water distribution system to maintain the capacity and performance for which such system was designed and constructed. The term "operation and maintenance" includes replacement.
4. **Residential** shall mean a unit used primarily for dwelling purposes.
5. **Superintendent** shall mean the Public Works Superintendent, who is in responsible charge of the operation and maintenance of the water distribution system servicing the City.
6. **User Charge** shall mean that portion of the total water service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the City's water distribution system.
7. **Water Distribution System** shall mean all piping, conduits, valves, hydrants, storage facilities, pumps and other appurtenances which serve to deliver water from the City's water source to the City's water users.

**111.020** **Connection required.-**The Owners of all properties located within the City improved with any structure used or designed to be used for human habitation, employment, recreation or other purpose, where there is access to the main line of the City's water distribution system within 100 feet of the property line, shall be required to connect to said system. Unless prior written agreement is reached with City, the Owner shall be responsible for installing any and all lines required to connect to the main line of the City's water distribution system. Where the City's water distribution system is not available, all properties shall be connected to a private water distribution system complying with the provisions of all county and state laws.

**111.030** **Scope of water service.-**The City shall provide water service to all properties within the City limits when proper application is made. When properties are annexed into the City or new development takes place, the City will provide water service as soon as practicable. The City may, at the discretion of the Board of Aldermen, provide water service to properties outside the City limits. The water rate for properties outside the City limits shall be double the water rate for properties within the City limits.

**111.040      Connection.**

1. No person shall uncover, make any connections with or opening into, use, alter, or disturb the City’s water distribution system without first obtaining written permission from the Superintendent.

2. All connections to the City’s water distribution system shall be made at the expense of the property owner and subject to the control and supervision of the City. The city retains the right to supervise the type and character of connections and to refuse connections that do not meet the City’s specifications. The property owner, by making application for connection, agrees to indemnify and hold harmless the City for liability to the property owner or any other person for any injury, loss, or damage whatsoever, relating to or arising out of the connection.

3. All new connections to the City’s water distribution system shall require a permit. The owner of the property or his agent shall make application when applying for a building permit. The application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee shall be charged at the time of application as follows:

<b>Meter Size</b>	<b>Permit and Inspection Fee (Water)</b>
3/4"	\$1,000.00
1"	\$1,280.00
2"	\$3,108.00
3"	\$5,143.00
4"	\$9,257.00
6"	\$13,714.00
8"	\$16,457.00
10"	\$21,942.00

This permit and inspection fee shall be paid for each meter to be placed on a property. This fee may also be referred to as a “tap fee” elsewhere within the City’s ordinances. The Board of Alderman shall have the authority to reduce or waive this fee.

4. The size, alignment, material used, and methods used shall all conform to the requirements of the most recent edition of the Missouri Department of Natural Resources (MDNR), Public Drinking Water Program, Design Guide for Community Public Water Supplies.

5. A permit to construct, issued by MDNR, will be provided to the City

prior to any construction, alteration or extension of lines connected or to be connected to the City's water distribution system.

6. The owner or his agent shall notify the Superintendent when lines are ready for inspection prior to connection to the City's water distribution system. All connections shall be made under the supervision of the Superintendent.

7. The Superintendent or his designated agents shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing.

8. The owner of the property shall be responsible for any costs associated with testing required by the Superintendent to complete inspections.

**111.050 Stop work order.**-The Superintendent may issue a written stop work order to any person who is found violating the provisions of this Chapter or otherwise failing to conform to the City's specifications for connection to the City's water distribution system. Violation of a stop work order shall be unlawful and shall constitute a misdemeanor and shall be punished by a fine of not less than one dollar (\$1.00) and not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both, recoverable with costs of court. Each day of violation shall constitute a separate offense.

**111.060 Unlawful connections.**-The City may immediately disconnect any connections made in violation of this Chapter and may make report to the Chief of Police for prosecution. Connection in violation of the provisions of this Chapter shall constitute a misdemeanor and shall be punished by a fine of not less than one dollar (\$1.00) and not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both, recoverable with costs of court. Each day of violation shall constitute a separate offense.

**111.070 Allocation of charges.**

1. The user charges shall generate adequate annual revenues to pay costs of annual operation and maintenance, including repair and replacement, and the costs associated with debt retirement of bonded capital associated with financing the City's water distribution system. Unless otherwise provided in any ordinance authorizing the issuance of revenue bonds, the user charges shall be allocated as provided in this Chapter.

2. That portion of the total user charges collected which is designated for operation and maintenance, including repair and replacement purposes, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

A. An account designated for the specific purpose of defraying operation and maintenance costs, excluding repair and replacement, of the City's water distribution system (Operation and Maintenance Account).

B. An account designated for the specific purpose of ensuring repair and replacement needs over the useful life of the City's water distribution system (Replacement Account). Deposits in the Replacement Account shall be made at least annually from the Operation, Maintenance and Replacement Fund in the amount of \$49,914.50 annually (See Appendix B & C).

3. That portion of the total user charges collected which is designated for debt retirement shall be deposited in a separate non-lapsing fund known as the Debt Retirement Account and will be kept in a primary account for the specific purpose of meeting debt retirement and construction costs for capital improvements associated with the City's water distribution system.

4. Fiscal year-end balances in the Operation and Maintenance Account, the Replacement Account, and Debt Retirement Account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts,

5. Connection fees or "tap fees" shall be used first to pay any deficiency in debt retirement and second to pay the lease/purchase for the water tower and water treatment plant on Mette Road and third to reimburse any person who has contracted to be reimbursed for contribution to the expansion of the City's water distribution system.

**111.080 User Charges.**-The minimum/base charge per month shall be \$16.43 for each structure or unit used or designed to be used separately for human habitation, employment, recreation or other purpose. This amount shall be charged if-City water service is available to the premises, whether or not the structure is occupied. For new customers or customers terminating service, the base fee shall be prorated based on a 30 day billing cycle for the partial month of service. In addition each user shall pay a user charge rate of \$2.40 per 1000 gallons of water. For billing purposes, the amount of water usage will be rounded up (or down) to the nearest 100 gallon increment and billed accordingly. Rates shall automatically increase by an inflation factor of (3%) three percent each year starting January 2011 unless the Board of Aldermen provide otherwise. The City may enact different rates for large volume contributors as determined by the Board of Aldermen.

**111.090 Purchase of Water.**

1. Bulk water may be purchased from the City's water distribution system at the rate of \$10.80 per 1000 gallons. Bulk water may only be obtained from the water tower on Mette Road (WTP#2).

2. Fire departments will not be charged for use of water during their

operations. Fire departments must notify the Superintendent within 48 hours of using the City's water distribution system.

**111.100**     **Water Distribution System Standards.**-Water Distribution System shall be constructed in accordance with The City of Moscow Mills, Missouri Water Distribution System Construction Standards.

**111.110**     **Appendices and Standards.**-Appendix "A" and Appendix "B" to former Chapter 114 of the City Code and the Missouri Design Guide for community Water Systems, latest edition, and the City's Water Distribution System Standards are hereby adopted and incorporated herein.

*Adopted by: Ordinance #97, 10/18/99. Amended by: Ordinance #106, 4/10/00. Ordinance #123, 2/12/01. Ordinance #215, 9/29/03. Ordinance #265, 4/18/05. Ordinance #272, 5/9/05. Ordinance #295, 10/19/05. Ordinance #425, 10/22/07. Ordinance #489, 7/13/09. Ordinance #536, 12/21/09. Ordinance #570, 9/13/10. Ordinance #614, 11/14/11.*