

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

City of Paisley
705 Chewaucan St.
Paisley, Oregon 97636

Ordinance No. 109

An Ordinance Providing Rates to be Charged for Water Services by the City of Paisley, Oregon; Prescribing the rules and regulations for the conduct and operation of the Water System of said City and Connection there with, Regulating and Governing the use of Water from said System; Providing penalties for Non-payment of Water Service and for violation of this Ordinance and Declaring an Emergency.

The City of Paisley, Oregon, Ordains as follows:

Section 1. Rules and Regulations.

1. Short title of this ordinance shall be known as "Rates, Rules and Regulations for the operation of the water department of the City of Paisley, Lake County, Oregon," and may be so cited and pleaded.
2. Scope: The Water Department and all customers receiving services from the Water Department, whether inside or outside the city limits, are bound by these rules and regulations and of all amendments and supplements thereof.

Section 2. Definitions of General Terms.

1. City. Whenever the word "City" is used, it shall mean the legally constituted municipal government of the City of Paisley, Lake County, Oregon.
2. Water Department. Wherever the words "Water Department" are used, they shall mean the Water Department of the City of Paisley.
3. City Council. Wherever the words "City Council" are used, they shall mean the legally elected group of members composing the City Council, including the Mayor, of the City of Paisley.
4. Superintendent. Whenever the word "Superintendent" is used, it shall mean the person appointed by the city council to superintend the affairs of the Water Department.
5. Applicant. Whenever the word "applicant" is used, it shall mean the person or persons, firm or corporation making application for water service from the Water Department under the terms of these regulations.

1 6. Customer or user. Whenever the word “customer” or “user” are used, it shall mean an
2 applicant who has been accepted under the terms of these regulations and who receives
3 water service from the Water Department.

4 **Section 3. Service Area.**

5 1. The area served by the Water Department shall be all that area included within the
6 corporate limits of the City and such other contiguous and neighboring territory as the City
7 Council shall, from time to time, deem necessary to serve.

8 **Section 4. Description of Service.**

9 1. Supply. The Water Department will exercise reasonable diligence and care to deliver a
10 continuous and sufficient supply of water to the customer at a reasonable pressure and to
11 avoid so far as is reasonably possible any shortage or interruption in delivery. The Water
12 Department shall not be liable for damage resulting from the interruption in service or from
13 the lack of service. Temporary suspension of service by the Water Department for
14 improvements or repairs will be necessary occasionally. Whenever possible, and when time
15 permits, all customers affected will be notified prior to shutdowns.

16 2. Quality. The Water Department will exercise reasonable diligence to supply safe and potable
17 water at all times.

18 3. Ownership of system. All water mains, valves, fittings, hydrants and other appurtenances,
19 except “customer service lines” as defined in Section 7, subsection 1, herein shall be the
20 property of the City.

21 4. Classes of Service. The classes of service shall be Residential, Commercial, Standby Fire and
22 Contract as further qualified by the designation after the class as follows: Inside City Limits;
23 Outside City Limits.

24 a. Residential Service. Residential services shall consist of all services for domestic
25 purposes, single family dwellings, homes and municipal purposes.

26 b. Commercial Service. Commercial Services shall consist of those services where
27 water is used for commercial services, such as businesses and multi-family
28 dwellings.

29 c. Standby Fire. Standby Fire services shall consist of those services where water is
30 available or used for fire protection only.

31 d. Contract service. Contract services shall consist of those services for industrial or
32 independent water district purposes under contracts authorized by the City Council.

33 5. Special Contracts. When the applicant’s requirements for water are unusual or large, such as
34 an independent water district, or necessitate considerable special or reserve equipment or
35 capacity, the Water Department, by authorization of the City Council reserves the right to
36 make special contract, the provisions of which are different from and have exceptions to the
37 regularly published water rates, rules and regulations. This special contract shall be in
38 writing, signed by the applicant and approved by the City Council and City Attorney, and
39 signed by the Mayor and City Recorder-Treasurer of the City of Paisley.

40 6. Resale of water. Resale of water shall be permitted only under special contract, in writing
41 between the City Council and the persons, parties or corporation selling the water.

42 7. Service preference. In case of shortage of supply, the Water Department reserves the right
43 to give preference in the matter of furnishing service to customers and interests of the

1 Water Department from the standing of public convenience or necessity. Water Service to
2 users outside of the City limits shall, at all times, be subject to the prior and superior rights of
3 the customers within the City limits.

4 **Section 5. Application for Service.**

- 5 1. Application form. Each applicant for water service shall sign an application form provided by
6 the Water Department giving the date of application, location of premises to be served, the
7 date applicant desires services to begin, purpose for which service is to be used, the address
8 for mailing of the billings, the class and the size of the meter service and such other
9 information as the Water Department may reasonably require. In signing the application, the
10 customer agrees to abide by the rules and regulations of the Water Department. In a rental
11 situation the property owner accepts and assumes all financial liability for usage charges and
12 fees on the account. The application is merely a written request for service and does not
13 bind the Water Department to serve.
- 14 2. Application fees and establishment of credit. At the time application for service is made, the
15 applicant shall establish his credit with the Water Department.
- 16 a. Establishment of credit. The credit of the applicant will be deemed established:
- 17 i. If the applicant makes a cash application fee with the Water Department
18 to secure the payment of bills for service. The application fee shall be a
19 sum equal to the estimated bill for two months service but not less than
20 \$40.00. The payment of the application fee will be credited to the
21 applicant's account six months after establishing service, if account has
22 remained current and in good standing the previous six months. If the
23 account is not current or in good standing at the completion of six months
24 the customer understands and agrees that said payment is willingly
25 forfeited to the City of Paisley Water Department.
- 26 b. Application Fee. At the time the application fee is given to the Water Department,
27 the applicant will be given a receipt for the same. The application fee is not to be
28 considered as a payment on account. In the event the service is discontinued, the
29 application fee will be applied to the closing bill and any amount in excess of the
30 closing bill will be forfeited to the City of Paisley Water Department. The Water
31 Department will not pay interest on any application fees.
- 32 c. Forfeiture of application fee. If an account becomes delinquent and it is necessary
33 to turn off their service, the application fee shall be applied to the unpaid balance
34 due. Water service will not be restored to that premises or that customer at
35 different premises until all outstanding bills due the Water Department have been
36 paid and the cash application fee replaced, together with a \$10.00 service charge as
37 provided in Section II, subsection 6 herein.
- 38 3. Application amendments. Customers desiring a material change in the size, character or
39 extent of equipment or operation which would result in a material change in the amount of
40 water used shall give the Water Department written notice of such change prior to the
41 change and the application for service shall be amended. Customers desiring a change in the
42 size, location or number of services shall fill out an amended application.

1 **Section 6.**

Main Extensions.

- 2 1. Within the city limits. Water main extensions to areas within the City limits not presently
3 served with water shall be installed under procedures to be established by the City Council.
4 Sub dividers for newly partitioned properties will assume all costs of main extensions with
5 the approval of the City Council.
- 6 2. Outside the city limits. Water mains outside the city limits shall be extended only at the
7 expense of the customers served. The main extensions shall become the property of the City
8 at the time installed. The City Council shall determine the size of the main extensions and all
9 extensions shall be of a suitable material approved by the City Council. Extensions outside
10 the city limits shall be installed by the Water Department. The installation procedures and
11 materials used shall be in accordance with the City and the State of Oregon standards.
- 12 3. Locations of extensions. The Water Department will make water main extensions only on
13 rights rights-of-way, easements or publicly owned property. Easements or permits secured
14 for main extensions shall either be obtained in the name of the City of Paisley, or transferred
15 to the City of Paisley, along with all rights and title to the main at the time the service is
16 provided to the customers paying for this extension.

17 **Section 7.**

Services.

- 18 1. Definition. The “service connection” shall be that part of the water distribution system which
19 connects the meter to the main and shall normally consist of corporation stop, service pipe,
20 curb stop and box, meter, meter yoke and meter box. The “customer service line” shall be
21 that part of the piping on the customer’s property that connects the service to the
22 customer’s distribution system.
- 23 2. Ownership, installation and maintenance. The Water Department shall own, install and
24 maintain all services and installation and maintenance shall only be performed by
25 authorized employees of the Water Department. The customer shall own, install and
26 maintain the customer service line.
- 27 3. Service connection charge. At the time the applicant files for service where no service
28 previously existed, or if he is filing for a change in service size or location, he shall submit
29 with his application the service connection charge. This charge is to cover the actual cost to
30 the Water Department to install the service from the main to and including the meter and
31 the meter housing. The service connection charge shall be as determined by the Water
32 Department in the current published water rate schedule. (See connection fee schedule.)
- 33 4. Size of service. The Water Department will furnish and install a service of such size and at
34 such locations as the applicant requests, provided such requests are reasonable and that the
35 size requested is one that is listed by the Water Department. The minimum size of service
36 shall be three-fourths inch. The Water Department may refuse to install a service line which
37 is undersized or oversized as determined by a study and report of the Superintendent to the
38 City Council.
- 39 5. Changes in service size. Permanent changes in the size of the service line requested by the
40 customer shall be paid by the customer on the basis of actual cost to the Water Department
41 for making the change.
- 42 6. Length of service. Where the main is in a public right-of-way, the meter will be placed at the
43 right-of-way line nearest the property to be served for the standard connection fee,
44 provided the length of service line does not exceed 30 feet. If, in either case cited above, the

1 length of service line to the meter location exceeds the maximum stated, the applicant shall
2 pay the extra cost of the line on the basis of actual cost to the Water Department for labor,
3 materials and equipment at cost plus \$75.00.

- 4 7. Joint service connections. The Water Department may, at its option, serve two or more
5 premises with one connection. On new service connections, the inside diameter of such joint
6 lines shall be sufficient to provide a carrying capacity not less than the combined capacity of
7 individual service lines of the same size as the meters installed. Service extensions from an
8 existing service to other. Service extensions from an existing service to other occupancies or
9 ownerships than that for which the existing service was intended shall not be permitted nor
10 shall separate residences be permitted to receive service through one meter except under
11 special considerations approved by the City Council.
- 12 8. Number of service connections on premises. The owner of a single parcel of property may
13 apply for and receive as many services as he and his tenants may require, provided his
14 application or applications meet the requirements of the policies, rules and regulations.
- 15 9. Standby fire protection service connections.
- 16 a. Purpose. Standby fire protections service connections of two-inch size and larger
17 will be installed only if adequate provisions are made to prevent the use of water
18 from such services for purposes other than fire extinguishing. Sealed fire sprinkler
19 systems with water-operated alarms shall be considered as having such provisions.
20 The Water Department may require that a suitable detector check meter be
21 installed in the standby fire protection service connections, to which hose lines or
22 hydrants are connected. All piping on the customer's premises shall be installed in
23 accordance with the plumbing code of the State of Oregon.
- 24 b. Charges for service. Charges for standby fire protection service will be stated in the
25 published water rate schedule. No charge will be made for water used in the
26 standby fire protections services to extinguish accidental fires or for routine testing
27 of the fire protection system. The customers shall pay the full cost of the standby
28 fire protections service connection, any required detector check meters, and any
29 required special water meter installed for the service to the standby connection.
- 30 c. Violations of regulations. If water is used from a standby pipe connection service in
31 violation of these regulations, and estimate of the amount used will be computed
32 by the Water Department. The customer shall pay for the water used at the regular
33 rates, including the minimum charge based on the size of the service connection
34 and subsequent bills rendered on the basis of the regular water rates.
- 35 10. Fire service connections other than standby. A service having fire protection facilities on the
36 premises and water for other purposes flowing through the same service connection shall be
37 considered as an ordinary service and metered as such. All water used through that service,
38 regardless of its use, will be charged at the regular rates.
- 39 11. Temporary service connections. For water service of a temporary nature, applicants shall be
40 required to pay in advance the estimated cost of installation and removal of metering
41 equipment and materials, plus a reasonable depreciation charge for the use of equipment
42 and material furnished by the Water Department. The applicant shall also pay his water bill
43 in advance and based on an estimate of the quantity to be used, or he shall otherwise
44 establish satisfactory credit.

- 1 a. Time Limit. Temporary service connections shall be disconnected and terminated
2 within six months after installation unless an extension of time is granted in writing
3 by the Water Department.
- 4 b. Charge for water served. Charges for water furnished through a temporary service
5 connection shall be at the established rates set forth in the current water rate
6 schedule.
- 7 c. Installation charge and application fee. The applicant for temporary service will be
8 required:
- 9 i. To pay the Water Department, in advance, the estimated cost of installing
10 and removing all facilities necessary to furnish each service.
- 11 ii. To pay an application fee sufficient to cover bills for water during the
12 entire period such temporary service may be used, or to otherwise
13 establish credit approved by the Water Department.
- 14 iii. To deposit with the utility an amount equal to the value of any equipment
15 loaned by the Water Department to such applicant under the terms of
16 Section 7, subsection 11 d hereinafter.
- 17 d. Responsibility for meters and installation. The customer shall use all possible care to
18 prevent damage to the meter or to any other loaned facilities of the Water
19 Department. If the meter or other facilities are damaged, the cost of making repairs
20 shall be deducted from the deposit refund. If the loaned materials are returned in
21 satisfactory condition and all bills paid, the full amount of the equipment deposit
22 will be returned to the temporary customer at the termination of service.
- 23 12. Customers plumbing.
- 24 a. Plumbing code. The customer's plumbing, which shall include the customer's
25 service line and all plumbing, piping, fixture, and other appurtenances carrying or
26 intended to carry water, sewer or drainage, shall comply with the plumbing code of
27 The State of Oregon.
- 28 b. Control valves. Customers shall install a suitable control valve in the customer
29 service line as close to the meter as possible, the operation of which will control the
30 entire water supply to the premises served. In the event a customer's service is
31 disconnected for any reason, a control valve must be installed, if none exists, as
32 provided by this section. It shall be a violation of these rules and regulations for the
33 customer to operate cause or permit unauthorized operation of the meter stop or
34 any appurtenances on the service connection.

35 **Section 8. Meters.**

- 36 1. Ownership. The City will own and maintain all water meters. The Water Department will
37 not pay rent or any other charge for a meter or other water facilities, including housing
38 and connections on a customer's premises.
- 39 2. Installation. Installation of water meters shall be performed only by authorized
40 employees of the Water Department. All meters shall be sealed by the Water
41 Department at the time of installation, and no seal shall be altered or broken except by
42 one of its authorized employees.
- 43 3. The size and type of meter. Applicant may request and receive any size meter regularly
44 stocked or furnished by the Water Department, provided the request is reasonable and

further provided that the meter is not greatly oversized or undersized, as determined by the Water Superintendent. The Water Department reserves the right to determine the type of meter to be installed.

4. Location of meters. Meters shall normally be placed at the curb or property lines; the meter will be installed wherever the applicant desires within reason, but the location must be approved by the Water Department. The meters will not be located in driveways or other location where damage to the meter or its related parts may occur.
5. Joint use of meters. The joining of several customers to take advantage of the single minimum charges and large quantity rates shall be prohibited, except under special contract, in writing, with the City Council.
6. Changes in size or location. If, for any reason, a change in the size of a meter and service is required, the installation will be accomplished on a basis of a new connection, and the customer's application shall be so amended. Meters or services moved for the convenience of the customer will be relocated only at the customer's expense.

Section 9. Water rates.

The water rates to be charged for each class of service, including minimum charges, charges for water used over the minimum and service connection charges, shall be as follows:

Residential / Small Business / Church –inside city limits.

Minimum monthly charge, 4,500 gallons					
One connection					
3/4 inch pipe	\$30.00				
1 inch pipe	\$30.50				
1 1/2 inch pipe	\$31.50				
2 inch pipe	\$37.50				
4,160 -49,900 gallons = \$.50 per thousand gallons.					
All over 50,000 gallons = \$.60 per thousand gallons.					

1

Commercial - inside city limits.

Minimum monthly charge, 100,000 gallons				
Business with 6 inch meter		\$80.00		
Schools		\$80.00		
Schools - At times of economic hardship upon Council Consent and at Schools				
annual request, rate will be divided by half.				
Trailer Parks / Motels		\$80.00		
Industrial		By negotiation with City Council on individual basis		
100,100 gallons + = \$.60 per thousand gallons.				
Standby Fire Service		\$20.00		

2

3

4

5

Residential / Small Business / Church and Commercial – outside of city limits

6

A surcharge of 100 percent will be added to all comparable inside city limit rates.

7

8

Connection Fees

9

The cost for new connection or main extension over 30 feet will be the actual cost plus \$75.00. Customer is required to deposit the entire good faith estimate of cost or \$ 500.00 whichever is greater prior to work beginning. Balance or refund will be settled prior to service connection turn on.

10

11

12

13

Section 10. Notices.

14

1. Notices to customers. Notices from the Water Department to the customer will normally be given in writing and either mailed or delivered to him at his last known address. Where conditions warrant and in emergencies, the Water Department may notify either by telephone or messenger.
2. Notices from customers. Signed and dated notices from the customer to the Water Department may be given by the customer or his authorized representative in writing at the office of the Water Department in City Hall.

15

16

17

18

19

20

21

Section 11. Billing and Payment.

22

1. Meter readings. Meters will be read and customers billed on the basis of the meter reading to the nearest 100 gallons; that is, no charge will be made for amounts from 1 to 49 gallons, and the charge for amounts from 50 to 99 gallons will be for 100 gallons. The Water Department will keep an accurate account on its books of all readings of meters

23

24

25

1 and such account, so kept, shall be offered at all times, places and courts as prima facie
2 evidence of the use of water service by the customer.

- 3 2. Rendering of bills.
 - 4 a. Billing period. All meters shall be read and bills rendered therefore monthly.
 - 5 b. Bills for other than normal billing period. Opening or closing bills will be prorated
6 accordingly.
 - 7 c. Bills for more than one meter. All meters supplying a customer's premises shall be
8 billed separately, except that where the Water Department has, for operating
9 purposes, installed two or more meters in place of one, the reading may be
10 combined for billing.
- 11 3. Disputed Bills. When a customer disputes the correctness of a bill, he shall deposit the
12 amount of the disputed bill at the time the complaint is lodged, to preclude
13 discontinuance of service pending final settlement of the bill or bills. Subsequent bills
14 shall be paid or placed on deposit in a similar manner. Failure of the customer to make
15 such a deposit shall warrant discontinuance of service, as provided under Section 11,
16 subsection 6 of these rules and regulations.
- 17 4. Failure to read meters. In the event that it shall be impossible or impractical to read a
18 meter on the regular reading date, the water consumption shall be prorated on the basis
19 of 30 days per month and the total water consumption for billing purposes for that
20 period shall be estimated.
- 21 5. Payment of bills. Each bill rendered shall contain the final date on which payment is due.
22 If the bill is not paid by that date, the account shall be considered delinquent unless
23 other arrangements have been made with Water Department in writing that specifies
24 another due date.
- 25 6. Delinquent accounts.
 - 26 a. Delinquent notice. A reminder of account delinquency may be sent, at the
27 discretion of the City Recorder, to each delinquent account on or about 30 days
28 after the account becomes delinquent.
 - 29 b. Turn-off notice. On or about 60 days after an account becomes delinquent, a turn-
30 off notice may be sent to the customer. Said notice shall state a date on which
31 water will be turned off if delinquent account is not paid in full prior thereto.
 - 32 c. Service turn-off. On the turn-off date, 90 days of account remaining unpaid, the
33 meter reader or other agent of the City of Paisley shall deliver a written notice to
34 the customer stating that the water service is being turned off until all delinquent
35 amounts have been paid. The meter reader or other agent of the City shall
36 immediately thereafter turn off the service. A delivery to the premises served by
37 the meter shall be considered a delivery to the customer.
 - 38 d. Service charge. In all instances where water has been turned off because of
39 delinquent accounts, a \$10.00 service charge shall be made for the restorations of
40 services and replacement of the application fee as stated in Section 5, subsection 2
41 herein, will be required.
- 42 7. Installment payments of delinquent accounts. In cases of extreme hardship, the City
43 Recorder shall have the discretion of renewing service to a delinquent account upon
44 receipt of a satisfactory installment plan for the payment of the overdue amount,
45 installment period not to exceed the period of time the account was delinquent, and in
46 any case, not more than 90 days.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

Section 12. Meter Error.

1. Meter accuracy. All meters will be tested prior to installation. No meter will be placed in service or allowed to remain in service which is known to have an error in registration in excess of 2 per cent under conditions of normal operation.
2. Meter test.
 - a. Standard test. Meter tests will be conducted in accordance with standards of practice established by the American Water Works Association.
 - b. On customer request. A customer may, giving not less than seven days' notice, request the Water Department to test the meter serving his premises. The Water Department will require the customer to pay the testing fee. This fee shall be \$ 50.00 for meters $\frac{3}{4}$ inch and smaller and for meters larger than $\frac{3}{4}$ inch shall be an estimate of the cost of testing the meter as determined by the Water Superintendent. The fee will be returned to the customer if the test reveals the meter to over register more than 2 per cent under conditions of normal operation. If the meter is operating satisfactorily or if the meter under registers more than 2 per cent under the standard test condition, the fee shall be forfeited to the Water Department. Customers may at their option, witness any meter tests which they request.
 - c. On Water Department request. If, upon comparison of past water usage, it appears that a meter is not registering properly, the Water Department may, at its option test the meter and adjust the charges accordingly if the meter either over registers or under registers. No charge for meter testing will be made to the customer for the meter test under these conditions.
3. Adjustment of bills for meter error.
 - a. No credits or debits will be borne by the City or the customer should the tested meter show variance high or low, from the accuracy defined in Section 12, subsection 1.
 - b. Non registering meters. The Water Department will bill the customer for water consumed while the meter was not registering. The bill will be computed upon an estimate during the same season of the year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditions.

Section 13. Discontinuance of Service.

1. On customer request. Each customer about to vacate any premises supplied with water and/or sewer service by the Water Department shall give the Water Department written signed and dated notice of his/her intentions at least two days prior thereto, specifying the date service is to be discontinued; otherwise, he/she will be responsible for all water and sewer services supplied to such premises until the Water Department shall receive notice of such removal. In a rental situation the property owner accepts and assumes all financial liability for usage charges and fees on the account. At the time specified by the customer that he/she expects to vacate the premises where service is supplied or that he/she desires to be discontinued, the meter will be read and a bill rendered which is

1 payable immediately. In no case will the bill be less than the monthly minimum specified
2 in the schedule applying to the class or classes of service furnished.

- 3 2. Nonpayment of bills. A customer's water service may be discontinued if the water bill is
4 not paid in accordance with the procedures listed in Section 11, subsection 6 of these
5 rules and regulations.
- 6 3. Nonpayment of sewer and or water service charges. If said sewer and or water service
7 charges are not paid when due by any such person, firm or corporation whose premises
8 are served or who are subject to the charges herein provided, water service provided to
9 that customer by the City of Paisley Water Department may be discontinued because of
10 the default in the payment of the sewer and or water service charges.
- 11 4. Alternative method. As an additional alternative method, if such water rates and
12 charges are not paid when due by any such person, firm or corporation, the amounts so
13 unpaid may be certified by the City Recorder-Treasurer to the County Assessor of Lake
14 County Oregon, and shall be by him assessed against the premises served as provided by
15 the law and shall be collected and paid over to the City in the same manner as other
16 taxes are assessed, collected and paid over, with interest. Interest on unpaid bills shall
17 run from the due date thereof at the rate of 18% per annum. Such unpaid charges may
18 also be recovered in an action at law in the name of the City, with interest as aforesaid.
- 19 5. Improper customer facilities.
 - 20 a. Usage facilities. The Water Department may refuse to furnish water and may
21 discontinue services to any premises without prior notice where plumbing facilities,
22 appliances or equipment using water are dangerous, unsafe or not in conformity
23 with the plumbing code of the State of Oregon.
 - 24 b. Cross connections. A cross connection is defined as any physical connection
25 between the Water Department's system and another source. The Oregon State
26 Board of Health and the U.S. Public Health Service prohibit cross connection. The
27 Water Department will not permit any cross connection and will discontinue service
28 to any premises where a cross connection exists. Service will not be restored until
29 the cross connection is eliminated. Customers using water from the Water
30 Department on the same premises shall maintain separate systems for each; and
31 the Water Department's water supply facilities shall be separated from any and all
32 other systems by an air gap of not less than one foot, or, if in the ground, by not
33 less than five feet.
- 34 6. Water Waste. Where water is wastefully or negligently used on a customer's premises,
35 seriously affecting the general service, the Water Department may discontinue service if
36 such conditions are not corrected after due notice by the Water Department.
- 37 7. Service detrimental to others. The Water Department may refuse to furnish water and
38 may discontinue service to any premises where excessive demands by one customer will
39 result in inadequate service to others.
- 40 8. Fraud or abuse. The Water Department will refuse or discontinue service to any
41 premises where it is deemed necessary to protect the Water Department from fraud or
42 abuse. Discontinuance of service from one or both of these causes will be made
43 immediately upon receipt of knowledge by the Water Department that the condition or
44 conditions exist.

- 1 9. Unauthorized turn-on. Where water service has been discontinued for any reason and
2 the water is turned on by the customer or other unauthorized person, the water may
3 then be shut off at the meter and the meter padlocked.
4 10. Noncompliance with regulations. The Water Department may immediately discontinue
5 service to a customer's premises for failure to comply with any of the provisions of
6 these regulations.

7 **Section 14. Restoration of Service.**

- 8 1. Restoration of service from nonpayment. Restoration of service after discontinuance for
9 nonpayment of bills shall be made after payment of current and past-due charges plus
10 \$10.00 for restoration charge and posting an application fee as hereinbefore provided.
11 2. Restoration of service for noncompliance of regulations. Restoration of service after
12 discontinuance of service for unsafe facilities, water waste, fraud, abuse or for
13 noncompliance with any of the policies, rules or regulations will only be made after the
14 irregularity has been corrected and the Water Department has been assured that the
15 irregularity will not reoccur. The restoration charge shall be \$ 10.00 plus any other
16 charges due or past-due that the Water Department may have incurred to correct the
17 irregularity.

18 **Section 15. Unusual Demands.**

19 When and abnormally large quantity of water is desired for filling a swimming pool, log
20 pond or for other purposes, arrangements must be made with the utility prior to taking
21 such water. Permission to take water in unusual quantities will be given only if the
22 Water Department facilities and other consumers are not inconvenienced.

23 **Section 16. Access to Property.**

24 All duly appointed employees of the Water Department, under the direction of the
25 Water Superintendent, shall have free access at all reasonable hours of the day to any
26 and all parts of structures and premises in which water is or may be delivered for the
27 purposes of inspecting connections, the conditions of conduits and fixtures, and the
28 manner and extent in which the water is being used. The Water Department does not,
29 however, assume the duty of inspecting the customer's line, plumbing and equipment,
30 and shall not be responsible therefor.

31 **Section 17. Responsibility for Equipment.**

- 32 1. Responsibility for customer equipment. The Water Department shall not be liable for any
33 loss or damage of any nature whatsoever caused by any defect in the customer's line
34 plumbing or equipment, nor shall the Water Department be liable for loss or damage due
35 to interruption of service or temporary changes in pressure. The customer shall be
36 responsible for valves on his premises being turned off when water service is turned on.
37 2. Responsibility for Water Department equipment. Water Department equipment on the
38 customer's premises remains the property of the Water Department and may be repaired,
39 replaced or removed by the Water Department employees at any time without consent of
40 the customer. No payment will be made to the property owner for the right to install,

1 maintain, replace or remove Water Department equipment on his premises. The property
2 owner must exercise reasonable care to prevent damage to equipment and must in no way
3 interfere with its operation. The property owner must keep vicious dogs or other animals
4 secured or confined to avoid interference with the utility operation and maintenance.

- 5 3. Damage to Water Department equipment. The customer shall be liable for any damage to
6 equipment owned by the Water Department which is caused by an act of the customer, his
7 tenants, agent's employees, contractors, licensees or permittees. Damage to equipment
8 shall include but not be limited to breaking of seals and locks, tampering with meters,
9 injury to meters, including but not limited to damages by hot water or steam, and
10 damaged meter boxes, curb stops, meter stops and other service appurtenances.

11 **Section 18. Fire Hydrants.**

- 12 1. Operation. No person or persons other than those designated and authorized by the Water
13 Department shall open any fire hydrant belonging to the Water Department; attempt to
14 draw water from it or in any manner damage or tamper with it. Any violation of this
15 regulation will be prosecuted according to law. No tool other than special hydrant wrenches
16 shall be used to operate a hydrant valve. In cases where a temporary service has been
17 granted and receives water through a fire hydrant, an auxiliary external valve will be
18 provided to control the flow of water.
- 19 2. Moving a fire hydrant. When a fire hydrant has been installed in the locations specified by
20 the proper authority, the Water Department has fulfilled its obligation. If a property owner
21 or other party desires to change the size, type or location of the hydrant, he shall bear all
22 costs of such changes. Any change in the location of a fire hydrant must be approved by the
23 City Council.

24 **Section 19. Penalties.**

25 Any person violating any of the provisions of these rules and regulations shall, upon
26 conviction thereof, be punished by a fine not exceeding \$500.00.

27 **Section 20. Suspension of Rules.**

28 No employee of the Water Department is authorized to suspend or alter any of the
29 policies, rules and regulations cited herein without specific approval or direction of the
30 City Council, except in cases of emergency involving loss of life or property or which
31 would place the Water System operation in jeopardy.

32 **Section 21. Constitutionality, Saving Clause.**

33 If any clause, sentence, paragraph, section or portion of this ordinance for any reason
34 shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not
35 affect, impair or invalidate the remainder of this ordinance, but shall be confined in its
36 operation to the clause, sentence, paragraph, section or portion of this ordinance
37 directly involved in the controversy in which the judgment is rendered.

38 **Section 22. Easement.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Each applicant and user gives and grants to the City of Paisley and easement and right-of-way on and across his property for the installation of water mains and the necessary valves and equipment in connection therewith.

Section 23. Emergency Clause.

The enactment of this ordinance being necessary for the protection of the peace, health safety and general welfare of the City and of its inhabitants, an emergency shall become effective immediately upon its enactment.

PASSED by the Council of the City of Paisley, Oregon

This 3 day of March , 2020.

SUBMITTED to and approved by the Mayor of the City of Paisley

This 3 day of March , 2020

Mayor

Attest:

City Recorder – Treasurer

I certify that the pages attached hereto are a true and exact copy of City of Paisley, Oregon, Ordinance No. 109.

City Recorder - Treasurer