

Chapter 50: Water

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CONSTRUCTION AND CONNECTIONS; USAGE

§ 50.01 CONSTRUCTION; PERMIT REQUIRED

No person shall be permitted or allowed to do any work upon, or make any repairs to, any pipe or pipes or appurtenances of the water system of the city without first obtaining permission from the Water Superintendent. All tapping or hooking on to any mains or pipe of the water system shall be done only by the Water Superintendent or under his or her supervision.

(Ord. 264, passed 7-7-1987) Penalty, See § 50.99

§ 50.02 FIRE HYDRANTS AND THE LIKE; TAMPERING PROHIBITED

No person or persons, except city firefighters in the discharge of their duties, shall, without permission of the Water Superintendent, open or attempt to open or in any way tamper with any fire hydrant or other fixture connected with the main, pipes, or meters of the water system of the city.

(Ord. 264, passed 7-7-1987) Penalty, see § 50.99

§ 50.03 RIGHT TO SHUT OFF; DISCLAIMER

The City shall have the right at any time to shut off the water in the water mains without notice, for repairs, extensions, or any other necessary purpose; and in no event shall the city be responsible for damage done by bursting pipes or by collapse of boilers, water tanks, or water fixtures upon the premises of any user.

(Ord. 264, passed 7-7-1987)

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§ 50.04 REPAIR RESPONSIBILITY

When it appears that there may be a water leak under any street, it shall be the duty of the Water Superintendent to make excavation to determine the cause of same. If the leak results from a break in the main or service line to the meter near the curb line, the repairs shall be made at the expense of the city. If the leak results from a break in the private service line, the cost of repairs and excavation shall be charged to the property owner and shall be a lien upon his or her property until paid. The property owner shall be responsible for all repairs from the meter to the place of use of the water.

(Ord. 264, passed 7-7-1987)

§ 50.05 SHUTOFF REQUEST.

Should any person decide to discontinue the use of the water supply to his or her premises for a period of not less than one month, he or she shall notify the Water Superintendent and pay in full all assessments in arrears at the office of the City Recorder. The water will then be turned off by the Water Superintendent and will be turned on again upon application for which a charge of \$10 will be made. No remission of any water will be made for a period of less than one month, or without notice to the Water Superintendent as provided in this section.

(Ord. 264, passed 7-7-1987)

§ 50.06 RENTAL PROPERTY; OWNER RESPONSIBILITY

The owner or premises rented to others which water is furnished by the city shall be responsible for payment of all water charges and services rendered and it shall be the duty of each property owner renting his or her premises to require his or her tenant to pay the water *rental and charges*.

(Ord. 264, passed 7-7-1987)

§ 50.07 SERVICE APPLICATION

Application for water service shall be made in writing at the office of the City Recorder by or on behalf of the person, firm, or corporation requesting water and water service. The application shall be in the form as shall be from time to time prescribed by the Water Superintendent and shall include a statement of purpose for which the water service is desired and an agreement by the applicant to be bound by terms of this subchapter and all reasonable rules and regulations as shall be promulgated by the City Council in implementation of this subchapter.

(Ord. 264, passed 7-7-1987)

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§ 50.08 SERVICES TO NEW PREMISES; REQUIREMENTS.

If the application is for water service to premises not previously served, the following requirements shall be met.

- A. Where water mains exist adjacent to the property to be served, and upon submission to the Water Superintendent of information as to the location and nature of the premises to be served with the water, the application will be furnished with the information as to the proposed locations of the meter setting. If the customer's service line had been installed prior to the application for service, it shall be the applicant's responsibility to clearly mark the location thereof. The Water Superintendent shall have sole jurisdiction, however, to determine the location of the street service line and the feasibility of a connection to the consumer's service line. It shall be the applicant's responsibility, at his or her own expense, to run his or her service line from the premises being served to the meter setting at or near the curb line.
- B. Service pipes and connections from the water main to and including the meter setting shall be placed within the line of the public right-of-way and shall be installed by the city after payment of a hookup fee as established in § 50.64 of this code.
- C. The Water Superintendent shall determine the size of the meter to be installed, based upon information furnished by the applicant. Any change in meter size requested by the consumer after the initial meter installation shall be granted insofar as is reasonable, but the entire cost shall be borne by the consumer. In cases of dispute as to meter size, the Water Superintendent shall have sole jurisdiction.
- D. The size of the street service line shall be determined by the City Council based upon information furnished by the applicant. However, in no case shall the street service line be the same size or any greater size than the water main to which it is connected. Any change in size or location of the street service line after the original installation shall be done at the consumer's expense. The hookup charges shall cover all cost of excavation, installation, connection and resurfacing from the water main to the point where the meter is installed, including the water box and the meter.
- E. One and only one street service line, meter setting, and meter shall be installed for each premises. Additional meters, meter setting, street services lines, and other appurtenances may be installed as approved by the Water Superintendent; and all the additional costs shall be borne by the applicant.
- F. Water service will be furnished only to premises complying with the applicable plumbing and sanitary codes and regulations of the city and state.
(Ord. 273, passed 7-7-1987) Penalty, see § 50.99

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§ 50.09 METERS; INSPECTION AND TESTING

If a consumer requests inspection and testing of a meter, he or she shall pay the cost thereof, which cost shall become a charge governed by the provisions of §50.35(B)(3) of this code. If, upon the examination and test, the meter is found to be inaccurate according to the standards of the National Association of Railroad and Utilities Commissioners, a meter will be substituted and the water bill for the preceding billing period shall be adjusted to compensate for any overcharge and the cost of the test.

(Ord. 264, passed 7-7-1987)

BACKFLOW PREVENTION; CROSS-CONNECTION CONTROL

§ 50.20 PURPOSE

The purpose of this subchapter is:

- A. To protect the public potable water supply of the city from the possibility of
- B. contamination or pollution by isolating within the consumer's internal distribution system or the consumer's private water system those contaminants or pollutants which could backflow into the public water system's
- C. To promote the elimination or control of existing cross-connections, actual or potential, between the consumer's in-plant potable water system and non-potable water system, plumbing fixtures, and industrial piping systems; and
- D. To provide for the maintenance of a containing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

(Ord. 618, passed 3-11-2003)

§ 50.21 DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AIR GAP. A physical separation between the free-flowing discharge end of a potable water supply pipeline and an open non-pressure-receiving vessel. An approved **AIR GAP** shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel; in no case less than one inch (2.54 cm).

APPROVED.

1. In reference to a water supply, shall mean a water supply that has been approved by the health agency having jurisdiction.

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2. In the reference to an air gap, a double check valve assembly, a reduced pressure principal backflow assembly, or other backflow prevention assemblies or methods, shall mean as approval by the administrative authority having jurisdiction.

AUXILIARY WATER SUPPLY. Any water supply on or available to the premises other than the purveyor's approved public water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source such as a well, spring, river, stream, harbor, and the like, or used waters or industrial fluids. These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the purveyor does not have sanitary control.

BACKFLOW. The undesirable reversal of flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the potable supply of water from any source or sources. See Terms **BACKPRESSURE** and **BACKSIPHONAGE**.

BACKFLOW PREVENTER. An assembly or means designed to prevent backflow.

BACKPRESSURE. Any elevation of pressure in the downstream piping system (by pump, elevation of piping, or steam and/or air pressure) above the supply pressure at the point of consideration that would cause, or tend to cause, a reversal of the normal direction of flow.

BACKSIPHONAGE. A form of backflow due to a reduction in system pressure, which causes a sub-atmospheric pressure to exist at a site in the water system.

CONTAMINATION. An impairment of the quality of the water, which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste and the like.

CROSS-CONNECTION. Any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, and other temporary or permanent devices through which would or because of which backflow can or may occur are considered to be **CROSS-CONNECTIONS**.

CROSS-CONNECTIONS, CONTROLLED. A connection between a potable water system and a non-potable system with an approved backflow prevention assembly properly installed and maintained so that it will continually afford the protection commensurate with the degree of hazard.

DOUBLE CHECK VALVE BACKFLOW PREVENTION ASSEMBLY. An assembly composed of two independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. (See specifications of Backflow Prevention Assemblies, § 10 of the 9th edition of the Manual of Cross-Connection Control, of the Foundation for Cross-Connection

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Control and hydraulic Research of the University of Southern California, for additional details)
This assemble shall only be used to protect against a non-health hazard (i.e., pollutant).

HAZARD, DEGREE OF. Either a pollution (non-health) or contamination (health) hazard and is derived from the evaluation of conditions within a system.

HAZARD, HEALTH. An actual or potential threat of contamination of a physical or toxic nature to the public potable water system or the consumer's potable water system that would be a danger to health.

HAZARD, PLUMBING. An internal or plumbing-type cross-connection in a consumer's potable water system that may be either a pollution or a contamination type hazard. This includes but is not limited to cross-connections to toilets, sinks, lavatories, wash trays, and lawn sprinkling system. Plumbing-type cross-connections can be located in many types of structures including homes, apartment houses, hotels, and commercial or industrial establishments. Such a connection, if permitted to exist, must be properly protected by an appropriate type of backflow prevention assembly.

HAZARD, POLLUTIONAL. An actual or potential threat to the physical properties of the water system or the potability of the public or the consumer's potable water system but which would not constitute a health or system hazard, as defined. The maximum degree or intensity of pollution to which the potable water system could be degraded under this definition is that which would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances.

HAZARD, SYSTEM. An actual or potential threat of serve danger to the physical properties of the public or the consumer's potable water system or of pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

INDUSTRIAL FLUIDS. Any fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration which would constitute a health, system, pollution, or plumbing hazard if introduced into an approved water supply. This may include but not limited to polluted or contaminated used water; all types of process waters and used waters originating from the public portable water system which may deteriorate in sanitary quality, chemicals in fluid form, plating acids and alkalis, circulated cooling waters connected to an open cooling tower or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, rivers, bays, harbors, seas, irrigation canals or systems, and the like; oils, gases, glycerin, paraffin, caustic and acid solutions, and other liquid or gaseous fluids used industrially, for other processes, or for firefighting purposes.

POLLUTION. An impairment of the quality of the water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of the waters for domestic use.

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PUBLIC WORKS DIRECTOR. The City Official invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this subchapter.

REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION ASSEMBLY. An assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient shutoff valves at each end of the assembly. This assembly is designed to protect against a non-health (i.e., pollution) or Health (contaminate) hazard. This assembly shall not be used for backflow protection of sewage or reclaimed water.

SERVICE CONNECTION. The terminal end of a connection from the public potable water system (i.e., where the water purveyor may lose jurisdiction and sanitary control of the water at its point of delivery to the consumer's water system). If a water meter is installed at the end of the connection, then the **SERVICE CONNECTION** shall mean the downstream end of the water meter.

WATER-NON-POTABLE. A water supply that has not been approved for human consumption by the health agency having jurisdiction.

WATER, POTABLE. Any public potable water supply that has been investigated and approved by the health agency. The system must be operating under a valid health permit. In determining what constitutes an approved water supply, the health agency has final judgement as to its safety and potability.

WATER USED. Any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passes through the service connection and is no longer under the control of the water purveyor.
(Ord.618, passed 3-11-2003)

§ 50.22 WATER SYSTEM; PURVEYOR'S AND CONSUMER SYSTEMS

- A. *System divisions.* The water system shall be considered as made up of two parts: the water purveyor's system and the consumer's system.
- B. *Water purveyor's system.* The water purveyor's system shall consist of the source facilities and the distribution system and shall include all those facilities of the water system under the complete control of the purveyor up to the point where the consumer's system begins.
 - 1) *Source facilities.* The source facilities shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.

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- 2) *Distribution system.* The distribution system shall include the network of conduits used for the delivery of water from the source to the consumer's system.
- C. *Consumer's system.* The consumer's system shall include those parts of the facilities beyond the termination of the water purveyor's distribution system (i.e., the service connection) which are utilized in conveying potable water to points of use.
(Ord. 618 passed 3-11-2003)

§ 50.23 COMPLIANCE REQUIRED FOR SERVICE

No service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by state laws, city laws and regulations, and this subchapter. Service of water to any premises shall be disconnected by the water purveyor if a backflow prevention assembly required by this subchapter is not installed, tested, and maintained, or if it is found that a backflow prevention assembly has been removed or by passed, or if an unprotected cross-connection exists on the premises. Service will not be restored until these conditions or defects are corrected.
(Ord.618, passed 3-11-203) Penalty, see § 50.99

§ 50.24 INSPECTION; DISCONTINUANCE OF SERVICE

The consumer's system should be open for inspection at all reasonable times to authorized representatives of the city Water Department to determine whether unprotected cross-connections or other structural or sanitary hazards, including violations of this subchapter, exist. When such a condition becomes known, the Public Works Director shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the consumer has corrected the condition(s) in conformance with he state and city statutes to plumbing and water supplies and the regulations adopted pursuant thereto.
(Ord. 618, passed 3-11-2003) Penalty, see § 50.99

§ 50.25 BACKFLOW PREVENTION ASSEMBLY; WHERE REQUIRED

An approved backflow prevention assembly shall also be installed on each service line to a consumer's water system at or near the property line or immediately inside the building being served, but in all cases before the first branch line leading of the service line, whatever the following conditions exist.

(A) In the case or premises having an auxiliary water supply which is not or may not be od safe bacteriological or chemical quality and which is not acceptable as an additional source by the Public Works Director, the public water systems shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line commensurate with the degree of hazard.

(B) In the case of premises on which industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public

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water system, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line commensurate with the degree of hazard. This shall include the handling process waters and waters originating from the water purveyor's system which have been subject to deterioration in quality.

(C) In the case of premises which have internal cross-connections that cannot be permanently corrected or protected against, or intricate plumbing and piping arrangements, or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line. *(Ord. 618, passed 3-11-2003)* Penalty, see § 50.99

§ 50.26 ASSEMBLY TYPES

The type of protective assembly required under § 50.25 above shall depend upon the degree of hazard which exists, as follows.

(A) In the case of any premises where there is an auxiliary water supply in § 50.25(A) and it is not subject to any of the following rules, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.

(B) In the case of any premises where there is water or a substance that would be objectionable but not hazardous to health if introduced into the public water system, the public water system shall be protected by an approved double check valve backflow prevention assembly.

(C) In the case of any premises where there is any material dangerous to health, which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly. Examples of premises where these conditions will exist include but are not limited to sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.

(D) In the case of any premises where there are unprotected cross-connections, either actual or potential, the public water system shall be protected by an approved air gap or approved reduced pressure principle backflow prevention assembly at the service connection.

(E) In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross connection survey, the public water system shall be protected against backflow from the premises by either an approved air gap or an approved reduced pressure principle backflow prevention assembly on each service to the premises. *(Ord. 618, passed 3-11-2003)* Penalty, see § 50.99

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§ 50.27 ASSEMBLY SPECIFICATIONS.

(A) Any backflow prevention assembly required herein shall be a make, model, and size approved by the Public Works Director.

(B) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

APPROVED PREVENTION ASSEMBLY. An assembly that

(a) Has been manufactured in full conformance with the standards established by the American Water Works Association (AWWA) entitled:

1. AWWA/ANSI C510-92 Standard for Double Check Valve Backflow Prevention Assemblies, as currently revised; and

2. AWWA/ANSI C511-92 Standard for Reduced Pressure Principle Backflow Prevention Assemblies, as currently revised.

(b) Has also met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (USC FCCCHR) established in Specifications of Backflow Prevention Assemblies, § 10 of the 9th edition of the Manual of Cross-Connection Control.

(C) These AWWA and USC FCCCHR standards and specifications are hereby adopted. Final approval shall be evidenced by a certificate of compliance for the AWWA standards or a certificate of approval for the USC FCCCHR specifications issued by an approved testing laboratory.

(D) (1) The following testing laboratory is hereby qualified to test and approve backflow prevention assemblies:

Foundation for Cross-Connection Control and Hydraulic Research
University of Southern California
KAP-200 University Park MC-2531
Los Angeles, California 90089-2531

(2) Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the City Council.

(E) Backflow preventers which may be subjected to backpressure or back siphonage that have been fully tested and have been granted a certificate of approval by the qualified laboratory and are listed on the laboratory's current list of approved backflow prevention assemblies may be used without further test or qualifications.

(Ord. 618, passed 3-11-2003) Penalty, see § 50.99

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§ 50.28 ASSEMBLY TESTING AND MAINTENCE REQUIREMENTS

It shall be the duty of the consumer at any previous where backflow prevention assemblies are installed to have a field test performed by a certified backflow prevention assembly tester upon installation and at least once per year. In those instances where the public Works Director deems the hazard to be great enough, he or she may require field tests of more frequent intervals. This test shall be at the expense of the water user and shall be performed by the city Water Department personnel or by a certified tester approved by the Public Works Director. It shall be the duty if the Public Works Director to confirm that these tests are made in a timely matter. The consumer shall notify the Public Works Director in advance when the tests are to be undertaken so that an official representative may witness the field tests if so desired. These assemblies shall be repaired, overhauled, or replaced at the expense of the consumer whenever the assemblies are found to be defective. Records of the tests, repairs, and overhaul shall be kept and made available to the Public Works Director, and copies of the results of any test not performed by the city Water Department shall be provided to the Public Works Director within ten days of completion of the test.
(Ord. 618, passed 3-11-2003) Penalty, see § 50.99

§ 50.29 EXISTING ASSEMBLIES

All presently installed backflow prevention assemblies that do not meet the requirements of this subchapter but were approved devices for the purpose described herein at the time of installation and which have been properly maintained shall, except for the testing and maintenance requirements under § 50.28 above, be excluded from the

requirements of these rules so long as the Public Works Director is assured that they will satisfactorily protect the water purveyor's system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the Public Works Director finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this subchapter.

(Ord. 618, passed 3-11-2003) Penalty, see § 50.99

§ 50.30 ENFORCEMENT

The Public Works Director shall be responsible for the protection of the public potable water distribution system from communication or pollution due to the backflow of contaminate or pollutants through the water service connection. If, in the judgement of the Public Works Director an approved backflow prevention assembly is required at the consumer's water service connection for the safety of the water system, the Public Works Director or his or her designated agent shall give notice in writing to the consumer to install and approved backflow prevention assembly at a specific location on the premises. The consumer shall immediately install an approved backflow prevention assembly at the consumer's expense; and failure, refusal, or inability on the part of the consumer to install and have tested and maintained that assembly shall constitute grounds for discontinuing water service to the premises until the requirements have been satisfactorily met.

(Ord. 618, passed 3-11-2003) Penalty, see § 50.99

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WATER CURTAILMENT PLAN

§ 50.40 DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATOR. Public Works Director or his or her designee.

BILLING PERIOD. The period used by the city for the reading of water meters consisting of approximately 30 calendar days.

CITY WATER. Water sold or delivered through the city's water system.

CUSTOMER. The person designated in city records to receive bills for water services.

NONESSENTIAL COMMERCIAL USES. Uses of water for commercial purposes in excess of the following amounts are determined to be nonessential and are prohibited.

(1) The use of water for schools, parks, recreation areas, golf courses, community food gardens, residential gardens, cemeteries, and similar recreation or memorial type facilities in excess of 75% of prior water consumption; or

(2) The use of water for nursery operations, restaurants, shopping centers, filling stations, and other commercial uses in excess of 75% of prior water consumption.

NONESSENTIAL INDUSTRIAL USES. Uses of water for industrial purposes in excess of the following amounts are determined to be nonessential and are prohibited.

(1) The use of water for manufacturing, food processing, cooling, or cleaning of equipment in excess of 75% of prior water consumption; or

(2) The use of water for agricultural irrigation in excess of 75% of prior water consumption.

NONESSENTIAL RESIDENTIAL USES.

(1) Uses of water for residential purposes in excess of the following usage allotment are determined to be nonessential:

A. *One or two residential units.* Daily usage allotment

1. One permanent resident: 120 Gallons;
2. Two permanent residents: 200 Gallons;
3. Three permanent residents: 280 Gallons; and
4. Each additional permanent resident: 80 Gallons.

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B. *Multi-residential units*. Daily usage allotment: each permanent resident 80 Gallons.

(2) Each water user or customer in whose name a water service is supplied to a residence or residences or apartments or other dwelling units shall, upon request of the City Recorder, advise the city under penalty of perjury the number of permanent residents using water supplied to the residence, residences, apartments, or other dwelling units. If the water user or customer fails to advise the City Recorder, each residence, apartment, or dwelling unit shall be permitted the water allocation herein provided for one permanent resident.

(3) The usage allotment established for three or more residential units should be based on the number of residential units rather than number of persons because the method of computation of allotments will more accurately reflect the true number of permanent residents living in the units over a period of time in light of the turnover and vacancy rates, the difficulty of ascertaining the true number of permanent residents residing, and the available census and other statistical data.

OTHER NONESSENTIAL USES. All other uses of water not expressly set forth in this subchapter in excess of 75% of prior water consumption are determined to be nonessential and are prohibited.

OUTSIDE PLANTS. Irrigation of grass, lawns, ground cover, shrubbery, gardens, crops, vegetation, and trees not located within a fully enclosed building.

PERMANENT RESIDENT. A person who resides at the dwelling at least five days a week, nine months a year.

PRIOR YEAR WATER CONSUMPTION. The amount of water consumed in the same time period as the first previous non-water curtailment year shall be determined by the city from its records. Where no such records exist, the amount shall be the average use of similar existing services as determined by the city from its records.

SUBURBAN AREA. Outside the city limits.

URBAN AREA. Inside the city limits.

WASTE. Includes:

(1) To use city water to irrigate outside plants between hours of 9:00 a.m. and sunset, or in a manner as to result in runoff for more than five minutes;

(2) To use city water to wash sidewalks, walkways, streets, driveways, parking lots, open ground, or other hard-surfaced areas except where necessary for public health or safety;

(3) To allow city water to escape from breaks within a plumbing system for more than 24 hours after the person who owns or is in control of the system is notified or discovers the break;

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(4) To use city water to wash cars, boats, trailers, aircraft, or other vehicles by hose without using a shutoff nozzle except to wash vehicles at commercial or fleet vehicle washing facilities using water recycling equipment.

(5) To serve city water for drinking at a restaurant, hotel, café, cafeteria, or other public place where food is sold, served, or offered for sale, to any person unless expressly requested by the person.

(6) To use city water to clean, fill, or maintain decorative fountains, lakes, or ponds unless all this water is recirculated.

(7) Except for purposes of building construction, to use city water for construction, compaction, dust control, cleaning, or wetting, or for building washdown (except in preparation for painting), or

(8) To use city water for filling swimming pools or for filling toy, play, or other pools with a capacity in excess of 100 gallons, provided, however, that water may be added to swimming pools to replace volume lost due to evaporation.

(Ord. 335, passed 11-11-1997) Penalty see, § 50.99

§ 50.41 APPLICATION.

The provisions of this subchapter shall apply to all customers using water provided by the city.

(Ord. 335, passed 11-11-1997)

§ 50.42 DETERMINATION OF WATER SHORTAGE

(A) The City Recorder is authorized to institute emergency water curtailment measures upon determination that a water shortage emergency condition exist. The determination shall be based on an analysis of the demand for water in the distribution systems and the quality of deliverable water available and storage recover capabilities.

(B) The determination of the City recorder under this section shall be effective until the next Council meeting following the determination, at which time the Council shall either ratify or invalidate the determination.

(C) The Administrator is authorized to terminate water curtailment measures upon determination that a water shortage emergency condition no longer exist. The termination shall become effective at the next Council meeting following the determination of the Administrator at which time the Council shall either ratify or invalidate the determination.

(Ord. 335, passed 11-11-1997)

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§ 50.43 WATER CURTAILMENT LEVELS.

(A) Depending on the severity of the potential water shortage, the Administrator may implement the following water curtailment levels. During any level, no person shall waste city water.

(B) (1) Level 1. The Administrator will issue a broad request for voluntary reduction of water use by all city water users. The request will include a summary of the current water situation, along with the reasons for the requested cutback in use and a statement the mandatory cutbacks will be needed if the voluntary efforts do not reduce peak water use by 10%.

(2) Level 2. The Administrator will issue a restriction on outside water use in the suburban area according to odd/even water days and prohibit waste of water.

(3) Level 3.

(a) The administrator will issue a restriction on outside water use according to odd/even water days in the urban area.

(b) The Administrator will, in the suburban area, prohibit nonessential residential, commercial, industrial, and all other nonessential water uses. No city water will be used to water outside plants except for trees, shrubs, and food plants.

(c) The Administrator will place a moratorium on new water service connections and water main extensions within the distribution system.

(4) Level 4. The Administrator will, in the urban area, prohibit nonessential residential, commercial, industrial, and all other nonessential water uses. No city water will be used to water outside plants except for trees, shrubs, and food plants.

(Ord. 355, passed 11-11-1997) Penalty, see § 50.99

§ 50.44 VIOLATIONS; DISCONTINUANCE OF SERVICE.

(A) The Administrator may, after written notice by certified mail or personal staff warning, disconnect the water service of any customer or private user that violates this subchapter on two or more days. Service so disconnected shall be restored only upon payment of any turn-on charge hereby fixed by resolution and paid during office hours and any other costs incurred by the city in the discontinuance of service and the giving of suitable assurance to the city that the action causing the discontinuance will not be repeated.

(B) In addition to the foregoing, the city may, prior to restoration of service, install a flow restrictive device on the customer's service supply line that limits the rate of flow or total quantity used.

Water

(C) The Administrator is hereby authorized to enforce the provisions of this subchapter.

(Ord. 335, passed 11-11-1997) Penalty, see § 50.99.

§ 50.45 VARIANCES

(A) The Administrator may, in writing, grant temporary variances for uses of water otherwise prohibited after determining that, due to unusual circumstance, to fail to grant the variance would:

(1) Cause of emergency condition affecting health, sanitation, or fire protection of the applicant or the public; or

(2) Result in unemployment or decreased production, after confirmation by the city that the account has instituted all applicable water efficiency improvements.

(B) The administrator shall approve or deny the request for exemptions and may impose conditions. The conditions may include the amount volume restrictions may be exceeded and that all applicable plumbing fixtures or irrigation system be replaced or modified for maximum water conservation. If the Administrator and the applicant are unable to reach accord on the exemption or if the applicant is dissatisfied with the Administrator's decision, the applicant may appeal to the Council pursuant to § 50.46 below and the Council will make the final determination. Any variances that has been ratified by the Council may be revoked by later action of the City Council.

(C) No such variance shall be retroactive or otherwise justify any violation of this subchapter occurring prior to issuance of the temporary variance.

(Ord. 335, passed 11-11-1997) Penalty, see § 50.99.

§ 50.46 APPEALS

The applicant may appeal the decision of the Administrator by giving written notice to the City Recorder. A hearing before the Council will be set up at the next Council meeting following the receipt of the written notice by the City Recorder, at which time the Council shall either ratify or invalidate the determination.

(Ord. 335, passed 11-11-1997)

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§ 50.47 PROVISIONS

The provisions of this subchapter shall prevail and control in the event of any inconsistency between this subchapter and any other rules or regulations of the city.
(Ord. 335, passed 11-11-1997)

ADMINISTRATION AND ENFORCEMENT

§ 50.60 SUPERVISION AND ENFORCEMENT.

The City Council shall have general supervision of the municipal water system with power to enforce the provisions of all ordinances, rules, and regulations relating to the system. The Council may by resolution appoint a Public Work Director who shall have general supervisory control over the water system with power to enforce all ordinances, rules, and regulations of the Council in relation thereto. (Ord. 264, passed 7-7-1987)

§ 50.61 ESTABLISHMENT OF CHARGES; PREVIOUS CHARGES CONFIRMED

(A) Service charges, hookup charges, and all other charges for use of the City's water system, service period, and due dates for payment of these charges shall be established by the City Council by resolution. The city retains jurisdiction to alter the charges, service periods, and due dates from time to time by resolution.

(B) All past actions by the officers of the city in establishing charges and fees for the city's municipal water system are hereby ratified and confirmed.
(Ord. 264, passed 7-7-1987)

§ 50.62 CHARGES FOR SERVICE OUTSIDE CITY.

Connection fees and services charges for all connections outside of the city shall be at the rate of 150% of the charges for connections and service within the corporate limits of the city.
(Ord. 264, passed 7-7-1987)

§ 50.63 RENTAL UNITS; DEPOSIT REQUIRED.

As of January 2019, water rates will decrease by \$2.00 per Ordinance 2018-10-01 Water Equalization. It is necessary to amend rental unit deposits from \$82.00 water/\$82.00 sewer totaling \$164.00 to \$81.00 water/\$81.00 sewer totaling \$162.00.
(Ord. 2018-10-01, passed 11-13-2018; Am. Res. 2018-776, passed 1-8-2019)

Water

(A) A deposit equal to the minimum flat rate for sewer and water applicable to the service will be required for all services before water and sewer services are rendered.

(Res. 553, passed 5-1997; Am. Res. 2018-776, passed 1-8-2019)

(B) The deposit shall be paid to the City Recorder and shall be held in a separate account maintained for the purpose of receiving and holding these deposits.

(C) The deposit less any charges or penalties owed to the city shall be refunded upon the termination of service to the subscriber. However, the deposit shall not be credited against any charges due under any of the provisions of this chapter in determining whether or not the charges are delinquent.

(Ord. 264, passed 7-7-1987; Am. Res. 2018-776, passed 1-8-2019)

§ 50.64 WATER HOOKUP CHARGE

All persons or parties connecting their building or structures with the city water system shall pay in advance to the city a minimum hookup charge of \$1000 and outside City limits shall pay in advance to the City a minimum hookup charge of \$1500. Any additional cost for connection will be billed and paid by the persons or parties connecting to the system. Any person expecting to have a water connection made shall notify the City Recorder or the Superintendent not less than 30 days before he or she is ready for the hookup or connection to be made. However, the city shall not excavate or do any construction work thereon, until the hookup charge has been fully paid.

(Res. 576, passed 7-14-1998; Res. 2015-741 Am. passed 1-12-2016)

§ 50.65 PAYMENT DUE DATE; DELINQUENT PAYMENT; COLLECTION.

(A) All monthly water and sewer charges for the city are due on the fifteenth day of the month following receipt of the service provided, and all other sewer and water charges are due fifteen days after the date of billing.

(Res. 605, passed 4-11-2000)

(B) (1) All charges assessed under § 50.61(A) of this code that are not paid as established under the provisions of that section shall be delinquent. A penalty of \$5 shall be added to all these charges delinquent in excess of 30 days. All charges and penalties which are delinquent for a period in excess of 70 days shall be docketed in the municipal lien docket and shall be a lien upon the property served. It may be collected by an action at law or may be foreclosed in any manner provided by law for the foreclosure of liens by cities.

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(2) Whenever any of these charges or penalties are delinquent for a period in excess of 70 days. The Water Department may shut off water service to the premises; and a charge of 50.00 shall be made when water service is restored, plus a deposit fee, if such a deposit fee is not already on deposit pursuant to § 50.63.

(C) The City shall notify the occupant of the property of any delinquent charges 14 days in advance of shutoff by placement of a door hanger notice on the premises and shall notify the property owner of any delinquent charges, seven days in advance of shutoff, by certified mail with return receipt, and should the property owner fail to pay the charges, the city may collect the charges in any manner provided by this chapter.

(D) The notice shall state that a customer may request a meeting with the Public Works Director to contest the validity of the bill. If a bill is determined to be in error, the Director is authorized to make a correction. The customer may appeal a decision of the Director to the Council.

§ 50.66 REVENUE DISPOSITION.

(A) All revenue received from the operation of the city water system shall be kept in a separate fund to be used solely for the payment of principal and interest on bonds issued to provide funds for construction, extension, maintenance, or repair of the system, for the upkeep, maintenance, operation, and repair of the system or be placed in a reserve to be used for capital improvements. (*Ord. 264, passed 7-7-1987*)

(B) All revenue received from the operation of the city sewer shall be kept in a separate fund to be used solely for the payment of principal and interest on bonds issued to provide funds for construction, extension, maintenance, or repair of the system, for the upkeep, maintenance, operation, and repair of the system or be placed in a reserve fund to be used for capital improvements.

§ 50.67 USAGE RATES.

(A) Usage rates. Water usage rates shall be established by City Council by resolution from time to time.

(1) The Public Works Director and City Recorder shall assess the metering status of the City residences, create a list of irregularities, develop a plan to address the irregularities, and submit this plan to the City Council for approval. This plan shall be submitted by December 1st, 2018;

Water

(2) The monthly water rate for apartment complexes shall be determined as follows:

(a) The rate for the first unit in the complex shall be the base water rate for a single family home;

(b) The rate for each additional unit in the complex shall be 67% of the base water rate for a single family home;

(c) To define the calculation in once instance- for an apartment complex with 10 units and the City's present water base rate of \$46/month, the monthly water billing will be $\$46 + (9 * \$46 * 0.67) = \$323.38/\text{month}$. Likewise, the water bill for a 12 unit apartment complex would be \$385.01.

(3) The monthly water rate for mobile home parks shall be determined as follows:

(a) The rate for the first unit in the park shall be the base water rate for a single family home;

(b) The rate for each additional space in the park, be it occupied or not, shall be 30% of the base water rate for a single family home;

(c) To define the calculation in one instance- for a mobile home park with 10 spaces and the City's present water base rate of \$46/month, the monthly water billing will be $\$46 + (9 * \$46 * 0.30) = \$170.20$. Likewise, the water bill for a mobile home park with 12 spaces would be \$197.80.

(4) The monthly water rate for duplexes shall be determined as follows:

(a) Each residential unit will be billed at the base rate;

(b) Any water volume billing beyond the base rate on the shared meter shall be split equally between the two units. The base monthly water volume allotment is recognized to be doubled for duplexes on a single water meter.

(c) Secondary structures such as 'mother-in-law' residences and backyard shops shall not be considered duplexes if their Uniform Plumbing Code fixture unit count is 12 or less. For illustration, a bathroom, a kitchen sink, and personal dishwasher is a fixture unit count of 10.

(5) Any water Customer in an apartment, mobile home park, or duplex may, at his or her option, elect to install a separate metered water connection and opt out of this rate schedule. The City will cooperate with the Customer to establish the separate metered water connection at either the base water hook-up rate of \$1000 or its cost, whichever is greater.

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(6) In order to promote tourism, hotels are not to be affected by this rate schedule change. Hotels are defined as those businesses having average guest durations of less than 30 days. Businesses wishing to be designated as a hotel shall provide evidence to the satisfaction of the Public Works Director that their average guest duration is less than 30 days. Exhibit ‘A’ contains an example calculation.

(7) It is estimated that these billing changes will raise approximately \$1000 per month in revenue, and that approximately 500 water meters are served by the municipal water system. The City’s base water rate is therefore lowered from \$46/month to \$44/month, reducing the typical residential utility billing rate by \$2/month. This rate will be modified from time-to-time by the City Council to follow the actual expenses of providing municipal water service.

(Res. 2017-765 passed; 8-14-2018; Ord. No. 2018-10-01 Passed 11-13-2018)

(B) Bulk Sales.

(1) The fire hydrant designated for bulk sales will be located at 301 East Second Street at City Hall.

(2) The following water rates will be effective for bulk sales.

Water Usage	Bulk Sales Rates
1,000 Gallons	\$10.00

(Res. 612, passed 7-11-2000; Amended by Res. 2022-871, passed 2-8-2022)

§ 50.99 PENALTY

(A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction, be subject to penalties as set forth in § 10.99 of this code.

(B) Any person who violate any of the provisions of § 50.01-50.62, or 50.65 of this code shall, upon conviction, be punished by a fine of not more than \$500.

(Ord. 264, passed 7-7-1987)

(C) Any person who violates any of the sections of § 50.20 et seq. of this code shall, upon conviction, be punished by a fine of not more than \$500. Each day’s violation of a provision of that subchapter constitutes a separate violation.

(Ord. 618, passed 3-11-2003)