

**CITY OF WRENS  
CODE OF ORDINANCES  
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CHAPTER 2**

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**Water and Sewer**

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Sec. 5-2-1 Rate schedule.

- a. There is hereby adopted the water and sewer rate schedules as fixed from time to time by the mayor and council. Copies of the current rate schedules shall be maintained on file in the offices of the City Clerk and the City public works director.
- b. The rate schedule contemplates a single user, such as a one-family dwelling, one-farm dwelling with appurtenances, or one-commercial operation.
- c. Extraordinary circumstances, such as multiple dwelling units, industrial users, and fire protection shall be governed by special contract agreements made by the mayor and council on recommendation of the City's engineer.

Sec. 5-2-2 Application for water and sewer service.

The consumer shall make application for water and sewer service, in person, at the City hall and at the same time shall make separate cash security deposits as fixed from time to time by the mayor and council for water service and for sewer service.

Sec. 5-2-3 Charges for initial water and sewer service.

Each consumer subscribing to use the water and sewer service of the City shall pay connection fees for water service and for sewer service in such amounts as fixed from time to time by the mayor and council.

Sec. 5-2-4 Minimum charges.

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The minimum charge, as provided in the rate schedule, shall be made for such connection subscribed for. Water furnished for a given lot shall be used on that lot only and, except for fire protection, the City shall not under any condition furnish water free of charge to anyone.

Sec. 5-2-5 City's responsibility and liability.

- a. The City shall run a service line from its distribution line to the property line where the distribution line exists or is to be constructed, and runs immediately adjacent and parallel to the property to be served. No service charge, other than the connection fee referred to in Section 5-2-3 above, will be made for a 5/8 inch x 3/4 inch meter. A proportionately greater charge than the connection fee above will be made for a meter of larger dimensions.
- b. The City may make connections to service other properties not adjacent to its lines upon payment of reasonable costs for the extensions of its distribution lines as may be required to render such service.
- c. The City may install its meter at or near the property line or, at the City's option, on the consumer's property within three (3) feet of the property line.
- d. The City reserves the right to refuse service unless the consumer's lines or pipings are installed in such a manner as to prevent cross-connections or back-flow.
- e. Under normal conditions the consumer will be notified of any anticipated interruptions of service by the City.

Sec. 5-2-6 Consumer's responsibility and liability.

- a. Water furnished by the City shall be used for consumption by the consumer, member of his household and employees only. The consumer shall not sell water to any other person or permit any other person to use the water. Water shall not be used for irrigation, fire protection, or other purposes, except when water is available in sufficient quantity without interfering with the regular domestic consumption in the area served. Disregard for this rule shall be sufficient cause for refusal and/or discontinuance of service.
- b. Where a meter or meter box is placed on the premises of a consumer, a suitable place shall be provided by the consumer therefore, unobstructed and accessible at all times to the meter reader.
- c. The consumer shall furnish and maintain a private cut-off valve on the consumer's side of the meter.
- d. The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense, in a safe and efficient manner, and in accordance with the sanitary regulations of the state department of natural resources.

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- e. In order to be received as a consumer and entitled to receive water from the City's water system, all applicants must offer proof that any private wells located on their property are not physically connected to the lines of the City's water system and all applicants by becoming consumers of the City covenant and agree that so long as they continue to be consumers of the City they will not permit the connection of any private wells on their property to the City's water system.

Sec. 5-2-7 Access to premises and extensions of system.

- a. Duly authorized agents of the City shall have access at all hours to the premises of the consumer for the purpose of installing or removing City property, inspecting piping, reading and testing meters, or for any other purpose in connection with the water service and its facilities, and the sewer service and its facilities.
- b. Extensions to the system shall be made only when the consumer shall grant or convey, or shall cause to be granted or conveyed, to the City a permanent easement of right-of-way across any property traversed by the water and sewer lines.

Sec. 5-2-8 Change of occupancy.

Not less than three (3) days' notice must be given in writing at City hall to discontinue water and sewer service or to change occupancy. The outgoing party shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longer. The new occupant shall apply for water service within 48 hours after occupying the premises and failure to do so will make him liable for paying for the water consumed since the last meter reading.

Sec. 5-2-9 Meter reading; billings; collecting.

- a. Bills to customers for water and sewer service shall be mailed out on the last day of the month in which service was provided. Bills shall be paid at the City hall and a failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the consumer from payment of same. The failure of water and/or sewer users to pay charges duly imposed shall result in the automatic imposition of the following penalties:
  - 1. Nonpayment by the 10<sup>th</sup> day of the following month will be subject to a penalty of 10 percent of the delinquent account.
  - 2. Nonpayment by the 20<sup>th</sup> day of the following month will result in the water being shut off from the water user's property; provided that no water service shall be discontinued until a second notice is issued and opportunity provided for the delinquent consumer to be heard regarding the delinquent account.
  - 3. Nonpayment for 60 days after original due date will allow the City, in addition to all other rights and remedies, to terminate the service, and in such event, the water user shall not be entitled to receive, nor the City obligated to supply, any water under this chapter.

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- b. Service disconnected for non-payment of bills will be restored only after bills and/or penalties are paid in full, such security deposit as may be required by the mayor and council is made, and a service charge as fixed from time to time by the mayor and council paid for each meter reconnected.

Sec. 5-2-10 Suspension of service.

- a. When water and sewer service is discontinued and all bills are paid in full, the security deposit shall be refunded to the consumer by the City.
- b. Upon discontinuance of service for non-payment of bills, the security deposit will be applied by the City toward settlement of the consumer's account. Any balance will be refunded to the consumer; however, if the security deposit is insufficient to cover the bill and/or penalties, the City may proceed to collect the balance of the account in the usual way provided by law for collection of debts.
- c. The City reserves a right to discontinue water and sewer service without notice to the consumer for the following additional reasons:
  - 1. to prevent fraud or abuse;
  - 2. consumer's willful disregard of the City's rules and regulations;
  - 3. emergency repairs;
  - 4. insufficiency of water supply due to circumstances beyond the City's control;
  - 5. legal process;
  - 6. direction of public authorities; and/or
  - 7. strike, riot, fire, flood, acts of God or unavoidable accident.

Sec. 5-2-11 Complaints; adjustments.

- a. If the consumer believes his/her bill to be in error, he/she shall present his/her claim, in person, at City hall before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest and said payment shall not prejudice his claim.
- b. The City will make a special water meter reading at the request of a consumer for such fee as fixed from time to time by the mayor and council, provided, however, that if such special reading discloses that the meter was overread, no charge will be made.
- c. Water meters will be tested at the request of the consumer upon payment to the City of the actual costs of making the test, provided, however, that if the meter is

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found to over- register beyond three percent (3%) of the correct volume, no charge will be made.

- d. If the seal of a meter is broken by other than the City's representative or if the meter fails to register correctly or is stopped for any cause, the consumer shall pay an amount estimated from the average of his/her previous 12 months of usage and/or from other proper data.

**Sec. 5-2-12 Sewage connection required where available.**

- a. All property owners in the City so situated as to be accessible to the City sewage system shall be and are hereby required to connect with and use the City sewage system for the disposal of sewage. This shall apply to all properties having residences or places of business from which sewage is disposed of, where the City sewage system is available to such properties.
- b. Any violation of this section shall be punished as provided in Section 1-1-5 of this code; and the use of septic tanks, open privies or other means of disposal of sewage shall be a nuisance and may be condemned and abated as such.