

## CHAPTER 14.03

### USE OF PUBLIC WATER SYSTEM

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**14.03.010: Applications to Use Public Water System:** All transactions concerning water service shall be made through the office of the Finance Department. Before service will be allowed, proper application must be made and credit established. Plans for construction of water mains or services must be submitted to the Director for approval and sizing before payment of fees and final approval of service. All applicable fees are to be paid at the time of application and after approval by the Director. (Ord. 2481 Sec. 2 (part), 1980)

**14.03.020: Contract Conditions:** The application given in writing shall be considered as a contract in which the applicant agrees to abide by such rates, rules and regulations as are in effect at the time of signing the application, or as may be adopted or modified thereafter by the City and to pay all bills promptly. Contract is not binding until approved by the Director or his authorized representative. (Ord. 2609 Sec. 3, 1981; Ord. 2481 Sec. 2 (part), 1980; Ord. 1870 Sec. 1 (part), 1975; Ord. 843 Sec. 5 (part), 1955)

**14.03.030: Unusual Contracts - Security:** When the customer's requirements for water are unusual or large, or necessitate considerable special or reserve equipment or capacity, the Water Department may require a contract for an extended period and may also require the customer to furnish security satisfactory to the Water Department to protect the Water Department against loss and to guarantee the performance of the provisions of the contract. (Ord. 2481 Sec. 2 (part), 1980; Ord. 1870 Sec. 1 (part), 1975; Ord. 843 Sec. 5 (part), 1955.)

**14.03.040: City's Right to Modify Contract - Exception:** Except for special contracts which specify the length of time to which the contract rate shall be extended, all rates, rules, and regulations are subject to change or modification by the City without notice. (Ord. 2481 Sec. 2 (part), 1980; Ord. 1870 Sec. 1 (part), 1975; Ord. 843 Sec. 5 (part), 1955)

**14.03.045: Special Rates Prohibited:** No contracts for special rates will be entered into by the City. (Ord. 2481 Sec. 2 (part), 1980: Ord. 1870 Sec. 1 (part), 1975: Ord. 843 Sec. 5 (part), 1955)

**14.03.050: Request for Discontinuation:** Each customer about to vacate any premises, or who desires water service discontinued for any other reason, shall give notice of his desire, specifying the date service is to be discontinued; otherwise he will be held responsible for the payment for all water supplied to such premises until the Water Department has notice of such discontinuance. (Ord. 2481 Sec. 2 (part), 1980: Ord. 1870 Sec. 1 (part), 1975: Ord. 843 Sec. 5 (part), 1955)

**14.03.060: Responsibility:**

(1) The Water Department shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing or equipment; or caused by water through valves and pipes which may be open at the time water is ordered on by the customer; and the Water Department may, without further notice, discontinue service to any customer when defective conditions or plumbing or equipment upon the premises of the customer results, or is likely to result, in interference with proper service or is likely to cause contamination of the water. The Water Department does not assume the duty of inspecting the customer's line, plumbing and equipment, and shall not be responsible therefor, and will not be liable for failure of customer to receive service on account of defective plumbing or apparatus on the customer's premises.

(2) The Water Department will not permit any physical connection between a private water supply and the Water Department distribution system, unless that connection is in conformance with KMC 15.41.

(3) The Water Department will exercise reasonable diligence and care to furnish and deliver a continuous supply of public water to the customer, and to avoid any shortage or interruption of delivery of same, except where in the past, supply lines have been installed in divisions by developers that do not meet a standard set up by the American Water Works Association for water main installation. The Water Department will not be liable for high or low pressure conditions, chemical or bacteriological conditions, interruptions, or shortage or insufficiency of supply, or loss or damage occasioned thereby. The use of water upon the premises of the customer is at the risk of the customer, and the responsibility of the Water Department shall cease at the point of delivery of water. In cases where a new service line has been installed as provided for in Chapters 14.09 and 14.13, the point of delivery shall be at the customer's side of the meter. In all other cases, the point of delivery shall be the main itself.

(4) Any customer desiring discontinuance of service shall turn off his water supply at his own valve or stop and waste and give the Water Department notice, which will terminate charges and rates on the service as of the date received by the Water Department, and the customer's meter will be read as soon as possible after notice of discontinuance is received by the City. (Reference Sec. 14.03.080). The Water Department will not be responsible or liable for any damages or injuries sustained through failure to properly exclude the water from the premises.

(5) The Water Department, whenever it finds it necessary for the purpose of making repairs or improvements to its system, shall have the right to suspend temporarily the delivery of water, but in all such cases, as reasonable notice thereof as circumstances will permit, will be given to the customers, and the making of such repairs or improvements will be prosecuted as rapidly as may be practicable, and if practicable, at such times as will cause

the least inconvenience to customers. (Ord. 3388 Sec. 26, 1992: Ord. 2903 Sec. 1, 1985: Ord. 2481 Sec. 2 (part), 1980)

**14.03.070: Temporary Service:**

(1) For water service of a temporary nature, the customer may be required to make deposit to cover the cost of labor and material of connection and disconnection, and for a reasonable depreciation charge for the use of equipment and material furnished and owned by the Water Department.

(2) Ordinarily, any service for less than one year shall be considered temporary service, except that permanent buildings or establishments wherein service is discontinued because of change of occupancy shall not be interpreted as coming under this rule.

(3) If service is used for over one year, the deposit to cover connections and discontinuation will be returned, provided the construction is not of such a nature as to require adjustment under the Water Department's agreement for the extension of new mains. (Ord. 2481 Sec. 2 (part), 1980: Ord. 1870 Sec. 1 (part), 1975: Ord. 843 Sec. 10, 1955)

**14.03.080: Change of Occupancy:** At the time specified by the customer that he expects to vacate the premises where service is supplied or that he desires service to be discontinued, the meter will be read and a bill rendered which is payable immediately. In no case will the bill be less than the proportionate share of the monthly minimum provided for in the schedule applying to the class or classes of service furnished, prorated on the basis of the number of days in the period in question to the number of days in the month, the month being considered to be thirty days. (Ord. 2481 Sec. 2 (part), 1980)

**14.03.090: Existing Service Connect or Disconnect:** If, at the customer's request, the water is disconnected and connected, or vice versa, more than one time in a month, a minimum charge of \$10.00 will be charged for the labor involved by servicemen and office clerks, except that this shall not apply to change of occupancy of tenants. (Ord. 2481 Sec. 2 (part), 1980: Ord. 1870 Sec. 1 (part), 1975: Ord. 843 Sec. 11, 1955)

**14.03.100: Replacement of Old Private Service Lines:** When service lines, not classified as water mains, develop leakage, or when a customer or group of customers elects to have a service line replaced, the Water Department will make an estimate of the cost of replacement, and when the customer has made the deposit for payment of the estimate, the service will be replaced, and if an overpayment has been made, the overpayment will be refunded. Upon notice from the Water Department that leakage exists in services not installed by the Water Department, these lines are to be repaired at the customer's expense. If not repaired within a reasonable time, the Water Department may disconnect these lines until arrangements are made to replace or repair them. (Ord. 2481 Sec. 2 (part), 1980: Ord. 1870 Sec. 1 (part), 1975: Ord. 843. Sec 12, 1955)

**14.03.110: Charges:** Water service connection charges and water user charges shall be assessed and collected as provided for in Chapter 14.13. (Ord. 2481 Sec. 2 (part), 1980)

**14.03.120: Right of Entry:** The Director, upon proper notification to the owner, bearing proper credentials and identification shall be permitted to enter all properties at reasonable hours for the purpose of inspection, observation, testing, meter installation, maintenance and reading, all in accordance with the provisions of this chapter and Washington statutes. The Director or other duly authorized employees shall have no authority to inquire into any

process beyond that point having a direct bearing on the use of the public water system. (Ord. 2481 Sec. 2 (part), 1980)