

Resolution
93-26

City of Cotter
Cotter, AR

RULES & REGULATIONS

October 21, 1993
Water Department

Article 1

Sec. 1 These rules and regulations are authorized and/or required by City Ordinances, Federal Agency Loan Requirements, and are found to be necessary and in the best interests of the City of Cotter, Arkansas, its citizens, and water customers.

Sec. 2 These Rules and Regulations are promulgated under the provisions of Ordinance No. 174-75, and passed and approved on the 18th day of June, 1975 by the Cotter City Council.

Sec. 3 As provided for in the above referred to Ordinance No. 174-75, these rules and regulations shall have the same force and effect as provided for in said Ordinance and upon their approval, passage, and publication by the City Council of the City of Cotter, AR.

Article 2

Sec. 1 The Operation and Management, Contracting Authority, and Responsibility for the Cotter Water Department rests with the Mayor and the City Council of the City of Cotter, Arkansas; subject only to existing ordinances, requirements of Bond Holders, and applicable State and Federal Laws or Agency Regulations pertaining to public health, safety, and welfare.

Sec. 2 In carrying out their Responsibility the City Council of the City of Cotter shall hire such competent, trained, experienced, and licensed personnel as they may find to be necessary to provide for and render a safe, reliable, adequate, and satisfactory water service to its customers in a sound and businesslike manner.

Sec. 3 In directing its personnel in carrying out the type and kind of service desired to be rendered its customers in a sound businesslike manner; the City Council shall draw-up, approve, pass, and enforce Rules and Regulations as hereinafter set-out in Article 3 hereof. These standard and specific operating Rules and Regulations shall be changed, amended, removed, or enlarged as the City Council may find to be in the best interest of the City and its customers from time to time.

Article 3

Sec. 1 The following numbered Rules and Regulations shall be used in the ordinary day to day operations of the Cotter Water Department and have the full force and effect of Law as hereinabove provided.

1. No person, firm, or corporation, or local branch of government shall be furnished water without said water being metered and accounted for; and without being charged therefor being computed as required by the current Rate Schedule set by the Ordinance.
2. Water used within the City for fighting fires by the City Fire Department shall be estimated and recorded immediately after each occasion of usage, and the quantity so used shall be promptly reported to the Water Department. Inasmuch as Water used for fire-fighting cannot be accurately measured and billed to the City General Fund, a flat charge of ten (\$10.00) dollars per fire hydrant per year shall be paid to the Water Department for supplying water used in fighting fires.
3. Water used for fighting fires in rural areas (outside the City) shall only be provided after execution of a written contract between the Water Department, City of Cotter, and any Fire Department having responsibility for fighting fires in said rural area. The cost of water so used or made available in said rural areas shall be provided for in the aforementioned contract.
4. Water used by other City Departments such as for the City Park City Cemetery, City Hall, Street Department, or the Wastewater Treatment Plant shall all be accurately measured by a water meter; and charges in keeping with the current rate schedule shall be collected from the Department, Agency, or Function using said water.
5. No person, firm, or corporation shall tap, connect to, or otherwise use water from the Water Department distribution, transmission, or storage facilities without the full knowledge, permission, and consent of the Water Department; and then only through the exercise of a current and valid Service Agreement or Contract.
6. No person, firm, or corporation shall molest, tamper with, turn "off" or "on", trespass upon Water Department property, use, damage, remove, break, dig-up, climb, unauthorizedly paint, or in any way change, deface, or alter any facility of the Water Department including but not limited to its: water meters, meter boxes, gate valve, valve boxes, fire hydrants, fences, vaults, buildings, storage reservoirs, water mains, and service lines; except Water Department personnell or those granted permission by competent authority.
7. Any person, firm, group, or corporation desiring to obtain water service from the Water Department shall apply for said service by completing an "Application for Water Service" form furnishing all the data therein requested. This application must be completed at the Water Department Office by the prospective customer or by his Master Plumber. Applications for service shall describe the service desired to the extent necessary for the City to determine the type, size meter, deposit, and connection charge required by these regulations.

8. Applications for service and the payment of the meter deposit, and connection charge shall be the authorization required for the Water Department to tap the existing water main, run proper size service line, and install the requested meter box on the customers property line. The payment of the required connection charge, as hereinafter set out shall cover the costs of labor and materials for said connection, service line, meter box, and incidentals; but does not include the cost of the water meter which shall be, and remain, the cost of the water meter which shall be, and remain, the property of the water department. The Water Department agrees to maintain the connection, service line, and meter box while serviceable, for the customer - but should it ever become unusable, inadequate in size, or should the customers needs require a larger size service line and meter, the customer shall reapply and repay the established charges for size service and meter desired.

9. Installation of the actual water meter, and the beginning of water service shall only be begun after the customers plumbing has been inspected and/or tested as required by the Plumbing Code, provided the required meter deposit and any and all prior bills and charges due the Water Department has been paid in full. Any and all plumbing to be connected to the public water system must meet or exceed the requirements of the Plumbing Code. A property owner may install, change, or alter plumbing in his own house occupied by himself and his immediate family only; otherwise only a Licensed Master Plumber may do plumbing work that is to be connected to the public water system. All requirements of the City and/or State Plumbing Code must be followed including: permits, inspections, tests, and approved materials, prior to actual installation of the service meter. These requirements apply to outside city service as well as inside the city customers.

10. No more than one residential unit, or business customer (or combination thereof) shall be served by one meter; except where housed in the same building and owned and occupied by one property owner and his family. Otherwise a meter must be provided for each separate customer or user except as herein provided below for multi-unit customers under one ownership or management. The required meter size for each customer shall be determined by usage requirements for business, commercial, or industrial customers or by the number of occupiable residential units set forth in Rule 11 below.

11. The size meter and service line desired and/or required to provide satisfactory service to prospective customers shall be determined by the following usage requirements.

METER SIZE BY USAGE REQUIREMENTS		
Required MAXIMUM INTERMITTENT FLOW	REQUIRED MAXIMUM CONTINUOUS FLOW	REQUIRED METER SIZE
20 GPM	7 GPM	5/8 Inch
50 GPM	17 GPM	1 Inch
100 GPM	30 GPM	1 1/2 Inch
160 GPM	50 GPM	2 Inch
350 GPM	110 GPM	3 Inch
600 GPM	200 GPM	4 Inch
1400 GPM	450 GPM	6 Inch

For Residential type service the following meter size shall govern for full-time multi-unit type of service such as apartment houses, condominiums, or mobile home (trailer) parks, under one ownership or management, that assumes the payment of the monthly bill whether units are rented and occupied for the full month or not.

METER SIZE BY UNITS SERVED

No. of Res. Units	Required Meter Size
1	5/8 Inch
2 to 5 Inclusive	1 Inch
6 to 20 Inclusive	1 1/2 Inch
21 to 50 Inclusive	2 Inch
51 to 75 Inclusive	3 Inch
76 to 100 Inclusive	4 Inch

12. The customer must post a deposit, and agree to pay a minimum monthly bill as set out in the following schedule for over-sized meters:

SCHEDULE OF DEPOSITS AND MINIMUM BILLS

METER SIZE	METER DEPOSIT	Minimum Monthly Bill
5/8	\$10.00	Regular Minimum Bill
1"	25.00	\$25.00/mo.
1 1/2"	50.00	50.00/mo.
2"	75.00	75.00/mo.
3"	100.00	100.00/mo.
4"	200.00	200.00/mo.

13. Meter deposits shall be held in trust and are to be refunded to the customer after payment of his final bill upon termination of service. Deposit funds held in trust by the water department, shall not incur interest to the customer. Eighty Five (85%) of the meter deposit funds held in trust by the water department shall be invested in a federally insured savings account, and fifteen (15%) shall be kept in the meter deposit checking account so as to be readily available for refunding to terminating customers. Interest earned on the invested deposit funds shall be transferred semi-annually to the water department operating and maintenance fund and applied to "uncollected" or "bad-debt" accounts.

14. Connections to the water system, other than at the time of completion of water main construction projects including connections, service lines and setting of meter boxes; shall be as set-out in the following schedule. These connection (tapping) charges shall include all labor and materials necessary to tap the main, dig and lay the service line, repair any street or alley excavated, and set the meter box on the customers property line; all of which shall be performed by the water department. The maximum length of service line to be furnished and installed under this schedule is fifty (50') feet; service lines of greater length than 50 feet shall be charged for the actual cost. The required connection charge for these over 50 ft. length installations shall be estimated by the water superintendent

and said amount posted in escrow with the water department until the actual costs are determined at which time a "refund" of "additional payment" as required shall be made to or by the customer so that the actual cost is received by the water department. It shall be the intention of the water department to collect only the costs of making future connections to the system by the use of the connection charge schedule below, toward which end the water department shall maintain separate records of all installation costs (exclusive of meter costs) and charges collected therefor on an annual basis, so that annually a determination can be made to justify the raising or lowering of the following connection charge schedule (not including meter cost, by city):

CONNECTION CHARGES SCHEDULE

SIZE METER SERVICE LINE	NO PAVEMENT CUT & REPAIRS	PAVEMENT CUT & REPAIRS
5/8" Meter	\$325.00	Actual Cost
1" Meter	350.00	Actual Cost
1½" Meter	425.00	Actual Cost
2" Meter	475.00	Actual Cost
3" Meter	550.00	Actual Cost
4" Meter	625.00	Actual Cost

(Note: MAXIMUM LENGTH OF SERVICE LINE SHOWN ABOVE IS 50 FEET)

15. Customers desiring their service discontinued, or water "turned off" or "turned on" for periods of time shall place an "off/on" order request with the water department; and for which they shall pay a ten (\$10.00) dollar service charge if in District 1 and a fifteen (\$15.00) dollar service charge if in District 2 for each separate order and/or trip. This service charge shall likewise apply and be paid together with any unpaik bills by any customer having his service discontinued due to lack of payment of past due water bills.

16. Existing customers having only a five or ten dollar deposit posted with the water department shall be allowed to continue on service without an increase in their deposit until such time as they fail to pay their water bill prior to service being discontinued, or until they move to a new location and request service at that location. In above cases the new deposit required shall conform to the deposit schedule in rule 12.

17. Water meters shall be read on or near the middle of the month, and the bills received by the customer on or before the first of each month; and are due and payable at "net" on or prior to the 10th of the month. Any bill not paid at "gross" by the 15th of the month shall be mailed a "notice of termination" and if still unpaid by the 20th of the month the customers water meter shall be turned off or removed. The meter man shall advise the customer at the time that his water is being turned off, and that his deposit is being forfeited for the unpaid bill. The meter man is not authorized to accept partial or full payment including the ten (\$10.00) or fifteen (\$15.00) dollar service charge, in lieu of discontinuance of service, except in extreme cases of hardship or sickness such as to prevent the customers from going to the water department office. If there is no one at home a notice shall be placed on the front door that the water has been turned off for non-payment, and advising the customer to come to the water department office and pay the full amount due plus a service charge in order to have service restored. The meter shall be read and usage recorded at

the time service is discontinued and if the meter box does not "lock" the meter shall be removed.

18. Water bills shall be computed on the usage, between readings approximately one month apart, to the nearest 100 gallons at the current rate schedule which shall be the "net" bill, except that the minimum billing shall be 1,000 gallons. Bills not paid by the 10th of the month after rendering shall have a 10% penalty added which shall be added to either bill based on the "net" bill as computed. Bills may be paid by cash at the water department office during working hours, otherwise they may be paid by check or money order through the U.S. Mail, or dropped in the night depository at the city hall. Bills postmarked on the 10th of the month or found in the night depository at the beginning of office hours on the 11th of the month shall be considered as having been paid on time. In cases where the 10th of the month fall on a legal holiday, or on a saturday or sunday, bills may be received or postmarked on monday or on the day following the holiday and received as "net". Water measured through the customers water meter shall be assumed to have been used by the customer and he must bear the responsibility for the payment therefor as computed by the water department.

19. All accounts will receive a \$15.00 Charge for returned checks.

These rules and regulations shall be in full force and effect after their approval by the City Council of Cotter, and shall remain effective until changed, altered, or amended by subsequent replacement rules and regulations; and shall have the full legal authority of their enabling ordinance no. 174.75.

Passed and Approved by the City Council of the City of Cotter, Arkansas this 21st day of October 1993.


Mayor

(Seal)

Attest:


Recorder

RESOLUTION 93-08 AMENDED

SECTION 3, ARTICLE 11, PARAGRAPH 5: An additional meter may be installed at the request of a customer for the purpose of watering a lawn, garden, or other purpose that diverts the water from the city sewage system and therefore not processed by the municipal waste water treatment facility.

Installation charges for an additional 5/8 inch meter are as follows:

- \$ 175.00 Installed on same service line with primary meter.
- \$ 325.00 Installed where main line must be tapped.

Meters of larger size, will be installed at the rates shown in Section 3, Article 14 of this resolution.

All customer owned and installed plumbing and appliances served by the secondary meter must be approved by a licensed inspector before service can commence.

The water served by the secondary meter will be billed to the customer calculated on the base rate for water only, plus existing sales tax and state mandated fees

Application for the installation of a second meter may be made with water department personnel in city hall.

PASSED THIS 24TH DAY OF JUNE, 2004

APPROVED:


Bill Jennings, Mayor

ATTEST:


Mary E.. Mc Laughlin, Recorder-Treasurer

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