

**TITLE 6**  
**PUBLIC UTILITIES**

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Utilities Regulations; Rates And Charges . . . . .	1

## CHAPTER 1

**UTILITIES REGULATIONS; RATES AND CHARGES**

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6-1-1: **WATER METERS, INSTALLATION AND MAINTENANCE:**

- A. **Installation By Town Required:** The water supervisor is hereby directed and authorized to install a water meter, which shall be furnished by the town, on all premises where water is drawn from the water main of the town and to examine, inspect, repair, and replace such meters. In the event a water consumer shall refuse to permit a meter to be installed on the premises upon which he intends to use water, the water will be discontinued. The consumer shall not be entitled to draw water from the town water system until such meter is installed. (Ord. 99, 5-15-2006; amd. 2015 Code)
- B. **Maintenance By Consumer:** Water consumers shall protect their water meters from all elements of weather; water meters shall be installed to be out of frost danger and water consumers shall continue to protect them. Meters needing replacement due to neglect of the consumer will be at the expense of the consumer at the rate of replacement cost. (Ord. 99, 5-15-2006)

6-1-2:           **APPLICATION FOR WATER, SEWER AND GARBAGE SERVICE:** Every person desiring water, sewer or garbage service must make application to the town clerk. The applicant must state truly for what purpose and all uses to which the water is to be applied, and no different or additional use will be allowed except by permission of the town. (Ord. 99, 5-15-2006; amd. 2015 Code)

6-1-3:           **WATER AND SEWER FROM PREMISES OF ANOTHER PROHIBITED:** Each premises shall have its own water and sewer line connected to the town's water and sewer mains. No connection with the water or sewer system shall be made by extending the service line from one premises to another premises, even if such premises is owned by the same person or entity. (Ord. 99, 5-15-2006; amd. 2015 Code)

6-1-4:           **CONDITIONS FOR WATER AND SEWER SERVICES:** Water and sewer services will not be turned on into any house or private service pipe, except upon the written order of approval from the water/sewer supervisor. All new water and sewer service lines, connections and piping from the water main and/or sewer main to the property line must be constructed from materials approved by the water/sewer supervisor. Any upgrades or new services are required to have backflow prevention devices in place before service is authorized at the expense of the property owner. All high risk services will be equipped with testable backflow prevention devices in accordance with the state department of environmental quality rules and regulations. Plumbers are strictly prohibited from turning the water/sewer into any service pipe except on the order or permission of the water/sewer supervisor. The property owner is responsible for all costs of installation or repair from the main to their property. (Ord. 99, 5-15-2006; amd. 2015 Code)

6-1-5:           **INSTALLATION STANDARDS:**

- A.    The stopcocks and other appurtenances must be sufficiently strong to bear the pressure and the run of the water in the main. A stopcock or stop and waste connection accessible from the surface of the ground must be installed at the property line. The water/sewer supervisor, prior to installation, must approve stopcocks and all materials used.
- B.    All persons taking the water shall keep their own service pipe, stopcocks and apparatus in good repair, and protect them from the

elements of weather, at their own expense, and shall prevent all unnecessary waste of water. Any and all repairs to the service line from the main to the property line are the responsibility of the property owner. If the property owner makes the repair himself, or has the same made for him by a contractor, plumber, agent or employee, the repairs must pass inspection by the water/sewer supervisor.

- C. If street excavation is necessary for installation or repairs, the property owner is responsible for all costs of the street being repaired back to its original condition.
- D. Before any work is done outside of the property line, the water/sewer supervisor must be contacted and his approval obtained. (Ord. 99, 5-15-2006; amd. 2015 Code)

6-1-6:           **REPAIR OF LEAKS:** In the event a leak occurs, when it is not possible to determine by surface inspection whether said leak is on the main or service line, and repair work is done by the town, and if, upon exposure, the leak is discovered to be located anywhere from the main, on a service line, onto the individual's property, the expense of repair is to be borne by the property owner, and the town shall bill the property owner for its expense in making said repair, or for its work in making said repair. (Ord. 99, 5-15-2006)

6-1-7:           **UTILITY CONNECTION CHARGE:**

- A. In all cases where a charge is provided by law for making a connection to the water utility, the amount of the charge shall be tendered to the town when the application for the permit is approved and paid. The consumer shall pay the town utility fees of:
  - 1. Tap fees to main line: Six hundred dollars (\$600.00) for water.
  - 2. Tap fees to main line: Six hundred dollars (\$600.00) for sewer.
- B. These fees shall be paid in full before any services will be turned on.
- C. Utility rates shall be based on zoning according to the zoning regulations of the town. If the property is zoned residential, the consumer shall be charged a residential rate. Property zoned commercial shall be charged a commercial rate. Rates may be changed depending on the circumstances. (Ord. 99, 5-15-2006)

**6-1-8: CONNECTIONS BY QUALIFIED INDIVIDUALS:**

- A. When consumer water and sewer lines are connected to the town main lines, the consumer shall agree that only reputable, qualified individuals or firms will do the work. Proof of qualifications shall be provided to the mayor or water/sewer supervisor before any work commences. (Ord. 99, 5-15-2006; amd. 2015 Code)
- B. In the event damage occurs to the town main lines as a result of such connections, the consumer shall be liable for such damage and shall be required to pay the complete charge for repairs to the damage. (Ord. 99, 5-15-2006)

**6-1-9: ENFORCEMENT; NONLIABILITY OF TOWN:** The mayor is hereby authorized and directed to deny utility service from the town public works to any consumer who fails to comply with the requirements of this chapter, any wilful and intentional violation of this chapter. The town shall not and will not be liable for not providing service to residents of the town. (Ord. 99, 5-15-2006)

**6-1-10: SEWER SYSTEM:**

- A. Definition: The term "sewage system" as used in this section means and includes any and all of the following: a sewage treatment plant; collecting, intercepting and outlet sewers; force mains conduits; pumping stations; ejector stations and all other appurtenances or improvements necessary or useful for the collection, treatment and disposal in a sanitary manner of sewage and industrial wastes.
- B. Connection Compulsory: Every building or structure within the town in which water is used or available for domestic, commercial, or other purposes and every building or structure from which sewage is discharged must be connected with the town public sewer system. (Ord. 99, 5-15-2006)
- C. Sewer Connections: All consumer connections to the sanitary sewer mains shall be made by and at the expense of the consumer. The connection must be inspected and approved by the mayor or water/sewer supervisor before the consumer will be allowed to use the town sewer main.

- D. Installation At Expense Of Owner: The owner of the property shall pay for installation and connection. (Ord. 99, 5-15-2006; amd. 2015 Code)
- E. Street Excavation: If street excavation is necessary for installation or repairs, the property owner is responsible for all costs of the street being repaired back to its original condition. (2015 Code)

**6-1-11: BILLING; RATES AND FEES:**

- A. Due Date For Utility Service Fees: Water, sewer and garbage fees levied in accordance with this chapter shall be due and payable in full not later than the 20th of each month for the services provided during the preceding month. The billing cycle will run from the 25th of each month or the closest working day to the 25th for the previous month's usage. There will be a five dollar (\$5.00) late fee assessed to each account that is not paid by the 25th of each month. All bills must be paid in full or utilities will be disconnected on the 20th or the closest business day of the following month. The only notice necessary to terminate service shall be "one" written notice, one day prior to the day of disconnection. Fees shall be paid at the Clearmont Town Hall. Payments applied but not paying in full will not terminate the utilities from being disconnected. (Ord. 114, 12-17-2018)
- B. Failure To Pay Fees; Liability:
  1. In the event a person liable therefor fails to pay either fees for water, sewer, or garbage to the town when due, then the town, in addition to any other remedies provided to the town by law or by ordinance, may terminate water, sewer and garbage services to the person and the property owner and take any lawful steps necessary to deny the person and the property owner water from the town waterworks, access to the town sewerage system, and garbage services.
  2. The property owner shall be liable for the water, sewer and garbage service charges assessed against the property by the town, even if incurred by the agent or tenant of said real property. (Ord. 99, 5-15-2006; amd. 2015 Code)
  3. The town shall require all owners of rental property to be liable for unpaid utility charges at the rented premises, before the town provides utilities to the rented premises. (Ord. 99, 5-15-2006)

## C. Utility Deposit And Rates Enumerated: Effective July 1, 2018:

Water deposit fees:		
Residential		\$160.00
Commercial		\$200.00
Water rates:		
Residential	0 to 6,000 gallons	\$29.00
Outside of town limit users	0 to 6,000 gallons	\$30.00
Commercial:		
<sup>3</sup> / <sub>4</sub> inch	0 to 6,000 gallons	\$32.00
1 inch	0 to 6,000 gallons	\$37.00
1 <sup>1</sup> / <sub>2</sub> inch	0 to 6,000 gallons	\$43.00
2 inch	0 to 6,000 gallons	\$57.00
3 inch	0 to 6,000 gallons	\$71.00
6,000 to 15,000 gallons		\$0.08 per hundred
15,000 and up		\$0.10 per hundred
Bulk water sales		\$0.04 per gallon
Sewer rates:		
Residential		\$9.00
Commercial		\$10.00
School		\$102.00
Garbage rates:		
Residential		\$23.00 per container
Commercial		\$33.00 per container

(Ord. 112, 6-18-2018)

D. Commercial Garbage: Commercial businesses only, showing proof of another contracted garbage collection service, shall be allowed to be exempt from town garbage service. (Ord. 99, 5-15-2006)

E. Fees To Shut Off And Reinstate Service:

1. If any water, sewer, or garbage user shall fail to pay all charges as in compliance with this chapter, and has received a written notice

and does not pay said bill in full, such user in default shall be charged: (Ord. 99, 5-15-2006; amd. 2015 Code)

a. Ten dollars (\$10.00) for maintenance person to turn services off.

b. Ten dollars (\$10.00) for maintenance person to turn services on.

2. These charges must be paid in advance of reinstating any services to those in default or services shall remain off until compliance with this subsection E is met. (Ord. 99, 5-15-2006)