

## CHAPTER 90

# WATER SERVICE SYSTEM

90.01 Definitions	90.11 Installation of Water Service Pipe
90.02 Director's Duties	90.12 Responsibility for Water Service Pipe
90.03 Mandatory Connection to Public Water System and Use of Private Wells	90.13 Failure to Maintain
90.04 Abandoned Connections	90.14 Curb Valve
90.05 Permit	90.15 Interior Valve
90.06 Connection Charge	90.16 Inspection and Approval
90.07 Compliance with Plumbing Code	90.17 Completion by the City
90.08 Plumber Required	90.18 Shutting off Water Supply
90.09 Excavations	90.19 Operation of Curb Valve and Hydrants
90.10 Tapping Mains	90.20 Backflow Preventer

**90.01 DEFINITIONS.** The following terms are defined for use in the chapters in this Code of Ordinances pertaining to the Water Service System:

1. "Combined service account" means a customer service account for the provision of two or more utility services.
2. "Customer" means, in addition to any person receiving water service from the City, the owner of the property served, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.
3. "Director" means the Director of Public Works of the City or any duly authorized assistant, agent or representative.
4. "Water main" means a water supply pipe provided for public or community use.
5. "Water service pipe" means the pipe from the water main to the building served.
6. "Water system" or "water works" means all public facilities for securing, collecting, storing, pumping, treating and distributing water.

**90.02 DIRECTOR'S DUTIES.** The Director shall supervise the installation of water service pipes and their connection to the water main and enforce all regulations pertaining to water services in the City in accordance with this chapter. This chapter shall apply to all replacements of existing water service pipes as well as to new ones. The Director shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, subject to the approval of the Council. In the event of an emergency the Director may make temporary rules for the protection of the system until due consideration by the Council may be had.

**90.03 MANDATORY CONNECTION TO PUBLIC WATER SYSTEM AND USE OF PRIVATE WELLS.**

1. Connection to the Public Water System. Except as otherwise provided herein, all residences and business establishments within the City using water for human habitation or occupancy shall connect to the public water system. Water is used for human habitation or occupancy if it is used in the plumbing system of a residence or a business occupied by humans.

2. Exceptions. A residence or business establishment within the City using water for human habitation or occupancy may obtain its water from a private well as follows:

A. Existing Wells. A well in existence on the effective date of Ordinance No. 732 (May 23, 2007) may continue to obtain water from a private well as follows:

(1) For human habitation or occupancy until the date established in Section 90.03(2).

(2) For non-human habitation or occupancy until such time when well needs repair including pump repair or replacement.

B. New Wells. A well may be drilled only upon property that does not have access to the City water system within 200 feet of the property, and use of the well for human habitation or occupancy may continue until the date established herein.

(1) Permit. No person shall install or maintain a private well after the date of enactment of the ordinance codified by this section, or own or use a private well within the City after such a date, unless the person has registered such well and obtained a permit for same from the City. The registration and permit process shall be completed on forms provided by the City.

(2) Contaminated Area. Notwithstanding anything to the contrary which permits a private well to remain in existence within the City, neither shall a new private well be drilled nor shall repairs to an existing private well be made after the date of enactment of the ordinance codified by this section, if the well is located within a contaminated area.

(3) Variance. The City Council, upon recommendation of the Director of Public Works of the City or any duly authorized assistant, agent or representative, may consider a variance or exception to this section on application to the City.

(4) Termination/Abandonment of Use of Existing Wells. The use of any private well not permitted to continue under this section shall cease and the well shall be plugged in accordance with rules of the Iowa Department of Natural Resources on May

21, 2009, or 90 days after the date the public water system is extended to within 200 feet of the affected property, whichever is later.

- (a) All debris, pump, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
  - (b) The owner of the well or the owner's agent, shall notify the system or town at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by the Superintendent of the community water system.
- (5) Definitions. For use in this section the following terms are defined:
- (a) "Private well" means any groundwater well, except a monitoring well used as a part of a remediation system, used both for drinking water and for non-drinking water purposes, including a groundwater well which is not properly plugged in accordance with rules of the Iowa Department of Natural Resources.
  - (b) "Contaminated area" means a point within an area that has groundwater contamination or that in accordance with design models of the Iowa Department of Natural Resources may become contaminated due to percolation of groundwater contamination in the vicinity of the well site.
  - (c) "Human habitation or occupancy" means use of water in the plumbing system of a residence or business used or occupied by humans.

3. Penalties. Any well owner violating any provision of the ordinance codified by this chapter shall upon conviction be punished by forfeiture of not less than \$500.00 and not more than \$750.00 and the cost of prosecution. If any person fails to comply with this chapter for more than 10 days after receiving notice of the violation, the community water system may impose a penalty and cause the well abandonment to be performed and the expense be assessed as a special tax against the property.

*(Ord. 732 – Jun. 07 Supp.)*

**90.04 ABANDONED CONNECTIONS.** When an existing water service is abandoned or a service is renewed with a new tap in the main, all abandoned connections with the mains shall be turned off at the corporation cock and made absolutely watertight.

**90.05 PERMIT.** Before any person makes a connection with the public water system, a written permit must be obtained from the City. The application for the permit shall include a legal description of the property, the name of the property owner, the name and address of the person who will do the work, and the general uses of the water. If the proposed work meets all the requirements of this chapter and if all fees required under this chapter have been paid, the permit shall be issued. Work under any permit must be completed within sixty (60) days after the permit is issued, except that when such time period is inequitable or unfair due to conditions beyond the control of person making the application, an extension of time within which to complete the work may be granted. The permit may be revoked at any time for any violation of these chapters.

**90.06 CONNECTION CHARGE.** Before any permit is issued the person who makes the application shall pay a connection charge in the amount of two hundred dollars (\$200.00) for each residential connection and three hundred dollars (\$300.00) for each commercial or industrial connection to reimburse the City for costs borne by the City in making water service available to the property served. The connection charge is in addition to any current special assessment applicable.

*(Ord. 725 – Apr. 07 Supp.)*

*(Code of Iowa, Sec. 384.84)*

**90.07 COMPLIANCE WITH PLUMBING CODE.** The installation of any water service pipe and any connection with the water system shall comply with all pertinent and applicable provisions, whether regulatory, procedural or enforcement provisions, of Division 4, Plumbing Rules and Regulations, of the State Building Code and the City's Standard Specifications for Water Distribution Systems.

**90.08 PLUMBER REQUIRED.** All installations of water service pipes and connections to the water system shall be made by a plumber authorized to do business in the City. The Mayor shall have the power to revoke the permit of any plumber for violation of any of the provisions of this chapter.

**90.09 EXCAVATIONS.** All trench work, excavation and backfilling required in making a connection shall be performed in accordance with the City of Dyersville Standard Specifications and the provisions of Chapter 135.

**90.10 TAPPING MAINS.** All taps into water mains shall be made by or under the direct supervision of the Director and in accord with the following:

1. Independent Services. No more than one house, building or premises shall be supplied from one tap unless special written permission is obtained from the Director and unless provision is made so that each house, building or premise may be shut off independently of the other.
2. Sizes and Location of Taps. All mains six (6) inches or less in diameter shall receive no larger than a three-fourths (3/4) inch tap. All mains of over six (6) inches in diameter shall receive no larger than a one inch tap. Where a larger connection than a one inch tap is desired, two (2) or more small

taps or saddles shall be used, as the Director shall order. All taps in the mains shall be made at or near the top of the pipe, at least eighteen (18) inches apart. No main shall be tapped nearer than two (2) feet of the joint in the main.

3. Corporation Cock. A brass corporation cock, of the pattern and weight approved by the Director, shall be inserted in every tap in the main. The corporation cock in the main shall in no case be smaller than one size smaller than the service pipe.

4. Location Record. An accurate and dimensional sketch showing the exact location of the tap shall be filed with the Director in such form as the Director shall require.

*(Code of Iowa, Sec. 372.13[4])*

**90.11 INSTALLATION OF WATER SERVICE PIPE.** Water service pipes from the main to the meter setting shall be of such material as specified in the City of Dyersville Standard Specifications for Water Distribution System.

**90.12 RESPONSIBILITY FOR WATER SERVICE PIPE.** All costs and expenses incident to the installation, connection and maintenance of the water service pipe from the public water main to the building served shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of said water service pipe.

**90.13 FAILURE TO MAINTAIN.** When any portion of the water service pipe which is the responsibility of the property owner becomes defective or creates a nuisance and the owner fails to correct such nuisance the City may do so and assess the costs thereof to the property.

*(Code of Iowa, Sec. 364.12[3a & h])*

**90.14 CURB VALVE.** There shall be installed within the public right-of-way a main shut-off valve of the inverted key type on the water service pipe at the outer sidewalk line with a suitable lock of a pattern approved by the Director. The shut-off valve shall be covered with a heavy metal cover having the letter "W" marked thereon, visible and even with the pavement or ground. The proper operation of the turn-off valve is the responsibility of the property owner. When turn-off is required by a utility representative and the turn-off is not operative, or if a failure occurs within the service line, the City shall be held harmless. The utility representative, at his or her discretion, may discontinue service in a most efficient manner.

**90.15 INTERIOR VALVE.** There shall be installed a shut-off valve on every service pipe inside the building as close to the entrance of the pipe within the building as possible and so located that the water can be shut off conveniently. Where one service pipe supplies more than one customer within the building, there shall be separate valves for each such customer so that service may be shut off for one without interfering with service to the others. A separate water meter shall be installed for each individual customer. Separate meters shall be installed within ninety (90) days of notification to the property owner that the property is not in compliance.

**90.16 INSPECTION AND APPROVAL.** All water service pipes and their connections to the water system must be inspected and approved in writing by the Director before they are covered, and the Director shall keep a record of such approvals. If the Director refuses to approve the work, the plumber or property owner must proceed immediately to correct the work. Every person who uses or intends to use the municipal water system shall permit the Director to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority.

**90.17 COMPLETION BY THE CITY.** Should any excavation be left open or only partly refilled for twenty-four (24) hours after the water service pipe is installed and connected with the water system, or should the work be improperly done, the Director shall have the right to finish or correct the work, and the Council shall assess the costs to the property owner or the plumber.

*(Code of Iowa, Sec. 364.12[3a & h])*

**90.18 SHUTTING OFF WATER SUPPLY.** The Director may shut off the supply of water to any customer because of any violation of the regulations contained in these Water Service System chapters that is not being contested in good faith. The supply shall not be turned on again until all violations have been corrected and the Director has ordered the water to be turned on.

**90.19 OPERATION OF CURB VALVE AND HYDRANTS.** It is unlawful for any person except the Director to turn water on at the curb stop, and no person, unless specifically authorized by the City, shall open or attempt to draw water from any fire hydrant for any purpose whatsoever.

**90.20 BACKFLOW PREVENTER.** Any customer who is connected to any other source of water, in addition to the municipal water system, shall install, at said customer's cost, a backflow preventer to prevent cross contamination of the municipal water system. The type and location of the backflow preventer must be approved by the Director prior to its installation.