

# WATER

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## CHAPTER 90

### WATER SERVICE SYSTEM

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**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. "Superintendent" means the Superintendent of the City water system 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 SUPERINTENDENT'S DUTIES.** The Superintendent 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 Superintendent 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 Superintendent may make temporary rules for the protection of the system until due consideration by the Council may be had.

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

**90.03 MANDATORY CONNECTIONS.** All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water system.

*(Ord. 547 – Jan. 10 Supp.)*

**90.04 DRILLING OF WELLS.** The City prohibits new water wells in the City limits of Colfax.

*(Ord. 573 – Jun. 11 Supp.)*

**90.05 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 stop and made absolutely watertight within ten (10) days of abandonment. If the line is not properly abandoned, the City will complete the work and charge the cost to the property owner.

**90.06 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 the 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.

**90.07 FEE FOR PERMIT AND CONNECTION CHARGE.** Before any permit is issued the person who makes the application shall pay twenty-five dollars (\$25.00) to the Clerk to cover the cost of issuing the permit, supervising and regulating, and a seventy-five dollar (\$75.00) fee for inspecting the work. In addition there shall be a connection charge in the amount of five hundred dollars (\$500.00) paid before issuance of a permit to reimburse the City for costs borne by the City in making water service available to the property served.

*(Ord. 522 – Oct. 08 Supp.)*

*(Code of Iowa, Sec. 384.84)*

**90.08 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 the State Plumbing Code.

**90.09 PLUMBER REQUIRED.** All installations of water service pipes and connections to the water system shall be made by a plumber licensed by the City.

**90.10 EXCAVATIONS.** All trench work, excavation and backfilling required in making a connection shall be performed in accordance with applicable excavation provisions as provided for installation of building sewers and/or the provisions of Chapter 135.

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

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

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 Superintendent and unless provision is made so that each house, building or premises may be shut off independently of the other.

2. Sizes and Location of Taps.

A. Minimum size: One inch unless directed by the Superintendent.

B. Saddles: Service saddles shall be epoxy coated ductile iron and shall have double stainless steel straps. (1) Saddles shall be used when tapping all PVC water mains. (2) Saddles shall be used when tapping any four inch water main. (3) Saddles may not be required when making a one inch tap in iron water main sizes six inch or larger. (4) Saddles shall be used for two inch taps.

C. Tapping Sleeve: A stainless steel tapping sleeve, approved by the Superintendent, shall be used on all taps larger than two inches.

D. Location: One inch and smaller taps shall be made at 45 degrees above horizontal. Taps larger than one inch shall be made horizontal. All taps shall be located a minimum of 24 inches from pipe joints or other taps.

*(Ord. 576 – Aug. 11 Supp.)*

3. Corporation Stop. A brass corporation stop, of the pattern and weight approved by the Superintendent, shall be inserted in every tap in the main. The corporation stop in the main shall be of the same size as the service pipe.

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

**90.12 INSTALLATION OF WATER SERVICE PIPE.** Water service pipes from the main to the meter setting shall be Type K copper. The use of any other pipe material for the service line shall first be approved by the Superintendent. Pipe must be laid sufficiently waving, and to such depth, as to prevent rupture from settlement or freezing.

**90.13 RESPONSIBILITY FOR WATER SERVICE PIPE.** All costs and expenses incident to the installation, connection and maintenance of the water service pipe from the main to the building served, including the curb valve, shall be borne by the property owner; however, the City shall be responsible for the corporation stop and saddle. The property 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. The Superintendent shall notify any property owner whose curb valve is not in operating condition. When any portion of the water service pipe or the curb valve becomes defective and is in need of repair, the property owner shall be notified and given a specific time period in which to repair the same. If the property owner fails to perform such repairs within the specified time period, the Superintendent shall shut off the water supply and have the repairs made. Water service shall not be restored until all costs of such repairs have been paid to the City.

**90.14 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])*

**90.15 CURB VALVE.** There shall be installed within the public right-of-way a main shut-off valve on the water service pipe of a pattern approved by the Superintendent. Water shut off valves may not be installed above ground level, or at a depth greater than four (4) inches below ground level.

**90.16 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.

**90.17 INSPECTION AND APPROVAL.** All water service pipes and their connections to the water system must be inspected and approved in writing by the Superintendent before they are covered, and the Superintendent shall keep a record of such approvals. If the Superintendent 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 Superintendent to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority. No lines or connections may be covered prior to written approval by representative of Public Works Department. A violation may result in re-opening of excavation for inspection. All newly occupied properties are required to have a utility inspection by the Public Works Department when turning on service.

*(Ord. 573 – Jun. 11 Supp.)*

**90.18 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 Superintendent shall have the right to finish or correct the work, and the Council shall assess the costs to the property owner or the plumber. If the plumber is assessed, the plumber must pay the costs before receiving another permit. If the property owner is assessed, such assessment may be collected with and in the same manner as general property taxes.

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

**90.19 SHUTTING OFF WATER SUPPLY.** The Superintendent 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 Superintendent has ordered the water to be turned on.

**90.20 OPERATION OF CURB VALVE AND HYDRANTS.** It is unlawful for any person except the Superintendent or any person designated in writing by the Superintendent (which person must be bonded) to turn water on at the curb valve, and no person, unless specifically authorized by the City, shall open or attempt to draw water from any fire hydrant for any purpose whatsoever.



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## CHAPTER 91

### WATER METERS

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91.13 Installation of Outside Water Service  
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91.15 Rates for Outside Service  
91.16 Disconnection of Outside Meter

**91.01 METERS REQUIRED.** All residents which are supplied with water must have the same measured by meter. *(Ord. 574 – Jun. 11 Supp.)*

**91.02 METER SETTING.** On new construction the owner or contractor shall provide and install a 1/2-inch conduit from the meter setting to the outside of the structure to allow a remote reader wire to be run or replaced. The conduit shall be run to either the front or side of the structure but under no circumstances shall the conduit be in a location which is inaccessible to the meter reader. The conduit shall end at the outside wall not less than eighteen (18) inches and no more than thirty (30) inches above finished grade.

**91.03 LOCATION OF METERS.** All meters are to be set in an upright position, in a location that is freely accessible and will not be set in crawl spaces under houses. All water meters must have a valve installed in the pipes on both the inlet and outlet sides of the meter. Customers must take all necessary precautions to protect meters from damage due to freezing, hot water or other causes. Meters shall not be boxed in or otherwise blocked to prevent removal or maintenance of the meter.

**91.04 METER COSTS.** The City shall furnish one meter per single-family dwelling of a size 3/4-inch or less. All new residential construction with a 3/4-inch service shall have a remote read meter of a size 3/4-inch or less. Any meter requested by a residential or commercial owner of a size larger than 3/4-inch will be remote reading and an oversize meter fee will be paid by the owner. The fee shall be the cost difference between a 3/4-inch meter and the larger meter. The meter is the property of the City. When the owner of a multiple-family dwelling requests separate individual metering, the owner shall pay the actual cost for each additional meter in excess of the meter furnished by the City. *(Ord. 475 – Jun. 03 Supp.)*

**91.05 OUTSIDE REMOTE READER.** An outside reader shall be installed on all new meter installations. The inside meter shall be the master meter. If any conflicts arise, the inside meter reading shall prevail. Water Department personnel shall periodically check both meters to make sure they are synchronized.

**91.06 METER TESTING.** New meters are tested at the factory before installing. A \$25.00 fee will be charged for any meter that is removed and tested at the customer's request, if the meter is found to be within acceptable limits.

**91.07 RIGHT OF ENTRY.** The Superintendent or other employee of the City shall be permitted at all reasonable times to enter the premises or buildings to examine the water meter and fixtures. In case of fraudulent representation on the part of the owner, the owner shall forfeit any deposit and the Water Department may cause the water to be turned off and assess the damage to the premises served.

**91.08 FROZEN METERS.** The City will charge for replacement of frozen meters. Meters will be billed at replacement cost.

**91.09 DAMAGE TO APPARATUS.** Neither the City nor the Water Department shall be held responsible by reason of the breaking of any service pipe or apparatus, or for failure in the supply of water.

**91.10 CHECK AND SHUT OFF VALVE REQUIRED.** If water meters are placed on pipes connected to boilers or other hot water apparatus, an approved check valve and shut off valve must be placed between meter and such boiler or other hot water apparatus. A relief valve must be placed on hot water boiler or heater to protect such meter from back pressure of steam or hot water. The over temperature relief valve must comply with local and State Plumbing Codes.

**91.11 BACKFLOW PREVENTION.** The City shall require a backflow prevention device or devices to be installed on all meters, at the expense of the owner.

**91.12 IRRIGATION METERS.** An irrigation meter may also be installed, for use with single or multiple family residences, to measure water that is not disposed of through the public sanitary sewer system. The water measured by an irrigation meter may include water for swimming pools, watering yards, watering gardens or other similar uses. The following regulations apply to irrigation meters:

1. Irrigation meters shall be installed not more than two (2) feet from the prime meter and shall be installed parallel to the prime meter.
2. Upon filing a completed water service permit at City Hall the Water Superintendent shall review the request and make a determination that the separate line will not discharge into the sanitary sewer system of the City.
3. The irrigation meter setting must be made on the street side of the prime meter. The water lines must be separately valved and run directly to outside faucets.
4. Shut-off valves are required ahead of and after the irrigation meter and must be within one foot of the meter.
5. A backflow preventer (approved by the City) to protect against contamination of the water system must be installed after the irrigation meter.
6. The irrigation meter must be installed horizontal to the floor with the arrow of the meter being in the direction of the flow of water to the outside. No underground irrigation systems are allowed in the public right-of-way.

**91.13 INSTALLATION OF OUTSIDE WATER SERVICE.** Upon approval by the City of the outside water service permit, the City will allow the resident to hire a plumber to install the following water meter package or its equivalent at the customer's expense:

1. 5/8 water meter with readout.
2. Branch piece for the two meters.
3. Two angle yoke valves.
4. Two yoke bars.
5. Two expansion connections.
6. One straight check valve.
7. One straight yoke outlet.

Once installed, the outside water meter shall be locked until the customer has completed the plumbing of the meter to the outside faucet. Upon completion, the plumbing must be inspected and approved by the City. The outside water meter shall be sealed upon installation.

**91.14 OUTSIDE SERVICE RESTRICTED.** In order to provide a fair and equitable program of outside water service, the following restrictions shall apply:

1. During any period in which the City determines that it is necessary to conserve water, all outside water meter services shall be disconnected immediately. Disconnection will be completed by the City. Reconnection shall occur only when the water conservation period is over, as determined by the City. In the event of mandatory disconnection during water conservation periods, the fees as provided for in Section 91.16 of this chapter shall be waived.
2. If at any time it is brought to the attention of the City that the customer is using the outside water meter to provide water for use in the house, the outside water meter shall be removed and the customer shall no longer be eligible for outside water service.
3. Any sign of meter tampering by the customer shall result in the immediate termination of outside water service.

**91.15 RATES FOR OUTSIDE SERVICE.** Water service through outside water meters shall be billed at rates as established in Chapter 92 of this Code of Ordinances; however, no minimum charge shall be assessed during months where there is no usage. No sewer charge will be assessed to water usage through the outside meter.

**91.16 DISCONNECTION OF OUTSIDE METER.** If a customer requests disconnection of an outside water service, a \$50.00 disconnection fee shall be assessed. If a customer requests reconnection of an outside water service, a \$50.00 reconnection fee shall be assessed.

*(Sections 91.12 – 91.16 Added by Ord. 590 – Apr. 12 Supp.)*

## CHAPTER 91

### WATER METERS

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91.10 Check and Shut Off Valve Required  
91.11 Backflow Prevention

**91.01 METERS REQUIRED.** All residents which are supplied with water must have the same measured by meter. *(Ord. 574 – Jun. 11 Supp.)*

**91.02 METER SETTING.** On new construction the owner or contractor shall provide and install a 1/2-inch conduit from the meter setting to the outside of the structure to allow a remote reader wire to be run or replaced. The conduit shall be run to either the front or side of the structure but under no circumstances shall the conduit be in a location which is inaccessible to the meter reader. The conduit shall end at the outside wall not less than eighteen (18) inches and no more than thirty (30) inches above finished grade.

**91.03 LOCATION OF METERS.** All meters are to be set in an upright position, in a location that is freely accessible and will not be set in crawl spaces under houses. All water meters must have a valve installed in the pipes on both the inlet and outlet sides of the meter. Customers must take all necessary precautions to protect meters from damage due to freezing, hot water or other causes. Meters shall not be boxed in or otherwise blocked to prevent removal or maintenance of the meter.

**91.04 METER COSTS.** The City shall furnish one meter per single-family dwelling of a size 3/4-inch or less. All new residential construction with a 3/4-inch service shall have a remote read meter of a size 3/4-inch or less. Any meter requested by a residential or commercial owner of a size larger than 3/4-inch will be remote reading and an oversize meter fee will be paid by the owner. The fee shall be the cost difference between a 3/4-inch meter and the larger meter. The meter is the property of the City. When the owner of a multiple-family dwelling requests separate individual metering, the owner shall pay the actual cost for each additional meter in excess of the meter furnished by the City. *(Ord. 475 – Jun. 03 Supp.)*

**91.05 OUTSIDE REMOTE READER.** An outside reader shall be installed on all new meter installations. The inside meter shall be the master meter. If

any conflicts arise, the inside meter reading shall prevail. Water Department personnel shall periodically check both meters to make sure they are synchronized.

**91.06 METER TESTING.** New meters are tested at the factory before installing. A \$25.00 fee will be charged for any meter that is removed and tested at the customer's request, if the meter is found to be within acceptable limits.

**91.07 RIGHT OF ENTRY.** The Superintendent or other employee of the City shall be permitted at all reasonable times to enter the premises or buildings to examine the water meter and fixtures. In case of fraudulent representation on the part of the owner, the owner shall forfeit any deposit and the Water Department may cause the water to be turned off and assess the damage to the premises served.

**91.08 FROZEN METERS.** The City will charge for replacement of frozen meters. Meters will be billed at replacement cost.

**91.09 DAMAGE TO APPARATUS.** Neither the City nor the Water Department shall be held responsible by reason of the breaking of any service pipe or apparatus, or for failure in the supply of water.

**91.10 CHECK AND SHUT OFF VALVE REQUIRED.** If water meters are placed on pipes connected to boilers or other hot water apparatus, an approved check valve and shut off valve must be placed between meter and such boiler or other hot water apparatus. A relief valve must be placed on hot water boiler or heater to protect such meter from back pressure of steam or hot water. The over temperature relief valve must comply with local and State Plumbing Codes.

**91.11 BACKFLOW PREVENTION.** The City shall require a backflow prevention device or devices to be installed on all meters, at the expense of the owner.

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## CHAPTER 92

### WATER RATES

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92.12 Senior Citizen Reduced Rate

**92.01 SERVICE CHARGES.** Each customer shall pay for water service provided by the City, and metered service shall be based upon use of water as determined by meters provided for in Chapter 91. Each location, building, premises or connection shall be considered a separate and distinct customer whether owned or controlled by the same person or not.

*(Code of Iowa, Sec. 384.84)*

**92.02 RATES FOR SERVICE.** Water service shall be furnished at the following monthly rates within the City:

*(Code of Iowa, Sec. 384.84)*

1. The rate for non-metered service is \$24.50 per month. Said rate shall increase to \$25.00 per month effective May 1, 2011.

*(Ord. 566 – Apr-11 Supp.)*

2. Metered service is furnished at the rates:

A. The first 2,000 gallons used per month shall be \$18.00 per month (minimum bill).

B. Anything over 2,000 gallons used per month will be \$3.60 per 1,000 gallons. It is further determined that revenue generated by increases in the water rates not needed for current water expenses shall continue to be placed in a special sinking fund designated solely for water treatment plant improvements or DNR mandated requirements. These funds may be kept in the same account; however, a balance shall be maintained by the Clerk showing this sum shall be designated solely for designated use.

*(Ord. 583 – Sep. 11 Supp.)*

**92.03 RATES OUTSIDE THE CITY.** Water service shall be provided to any customer located outside the corporate limits of the City which the City has agreed to serve at rates two hundred percent (200%) of the rates provided in Section 92.02. No such customer, however, will be served unless the customer



shall have signed a service contract agreeing to be bound by the ordinances, rules and regulations applying to water service established by the Council.

*(Code of Iowa, Sec. 364.4 & 384.84)*

**92.04 BILLING FOR WATER SERVICE.** Water service shall be billed as part of a combined service account, payable in accordance with the following:

*(Code of Iowa, Sec. 384.84)*

1. Bills Issued. The Clerk shall prepare and issue bills for combined service accounts on or before the first day of each month.
2. Bills Payable. Bills for combined service accounts shall be due and payable at the office of the Clerk within fifteen (15) days.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A one-time late payment penalty of ten percent (10%) of the amount due shall be added to each delinquent bill.

**92.05 SERVICE DISCONTINUED.** Water service to delinquent customers shall be discontinued in accordance with the following:

*(Code of Iowa, Sec. 384.84)*

1. Notice. The City Clerk or Deputy Clerk shall notify each delinquent customer that service will be discontinued if payment of the combined service account, including late payment charges, is not received by the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance. *(Ord. 485 – Oct. 04 Supp.)*
2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord.
3. Hearing. If a hearing is requested by noon of the day preceding the shut off, the City Clerk shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. If the City Clerk finds that disconnection is justified, then such disconnection shall be made, unless payment has been received. *(Ord. 485 – Oct. 04 Supp.)*
4. Fees. A fee of fifty dollars (\$50.00) shall be charged before service is restored to a delinquent customer. A fee of one hundred fifty dollars (\$150.00) shall be charged if service is requested outside of regular working hours (Monday—Friday 7:00 a.m.—3:30 p.m.) including weekends. A fee of three hundred dollars (\$300.00) shall be charged if service is requested on a holiday. No fee shall be charged for

the usual or customary trips in the regular changes in occupancies of property. *(Ord. 523 – Oct. 08 Supp.)*

**92.06 LIEN FOR NONPAYMENT.** The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for water service charges to the premises. Water service charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

*(Code of Iowa, Sec. 384.84)*

**92.07 LIEN EXEMPTION.** The lien for nonpayment shall not apply to a residential rental property where water service is separately metered and the rates or charges for the water service are paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential rental property and that the tenant is liable for the rates or charges. The City may require a deposit not exceeding the usual cost of ninety (90) days of water service be paid to the City. The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the rental property and the date of occupancy. A change in tenant shall require a new written notice to be given to the City within ten (10) business days of the change in tenant. When the tenant moves from the rental property, the City shall refund the deposit if the water service charges are paid in full. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within ten (10) business days of the completion of the change of ownership. The lien exemption does not apply to delinquent charges for repairs to a water service.

*(Code of Iowa, Sec. 384.84)*

**92.08 LIEN NOTICE.** A lien for delinquent water service charges shall not be certified to the County Treasurer unless prior written notice of intent to certify a lien is given to the customer. If the customer is a tenant and if the owner or landlord of the property has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than ten (10) days prior to certification of the lien to the County Treasurer.

*(Code of Iowa, Sec. 384.84)*

**92.09 CUSTOMER DEPOSITS.** The following deposits will be required:

1. All new accounts will be required to pay a deposit in an amount to be set by resolution. *(Ord. 586 – Dec. 11 Supp.)*
2. Any account existing on January 1, 1999, which has not paid a deposit will be required to pay a deposit set by resolution if the City is required to discontinue service twice due to delinquent payments.

*(Ord. 586 – Dec. 11 Supp.)*

3. Under no circumstances will deposits be used to pay past due open accounts; however, deposits may be used to pay an unpaid balance on a closed account when a resident moves out. *(Ord. 528 – Oct. 08 Supp.)*

4. No deposit will be required on new accounts opened when a current resident of the City with a water payment record in good standing moves to a new location within the City. For the purposes of this section, the term “good standing” means a water customer of more than three (3) years whose account has experienced no more than one late payment in the past year and no shut-off related to nonpayment for the past two (2) years.

The deposits made by customers will be deposited into a non-interest-bearing customer deposit account and held there until service is permanently discontinued. When a customer discontinues water service, all deposits paid into the account will be refunded if the account is current. Amounts due will be subtracted from the account before refunds are issued.

**92.10 REQUESTED DISCONTINUANCE FEE.** There shall be a service fee collected for discontinuing and restoring water service for changes in occupancy, making repairs, or any other requested discontinuance in the amount of twenty dollars (\$20.00) during normal working hours and forty dollars (\$40.00) after normal working hours.

**92.11 VACANT PROPERTY.** When a property becomes vacant, the property owner may:

1. Notify the Clerk of the vacancy and upon such notification the monthly water service rate for the vacant property shall be billed by meter usage.

*(Ord. 599 – Jan. 14 Supp.)*

2. Request that water service be temporarily discontinued and shut off at the curb valve. During the period when service is temporarily discontinued, there shall be no monthly water service charge billed to the vacant property. If conditions prohibit the curb valve from actually being shut off, upon payment of the \$20.00 fee, service shall be deemed discontinued for billing purposes.

*(Ord. 593 – Nov. 12 Supp.)*

**92.12 SENIOR CITIZEN REDUCED RATE.** Provisions shall be made for a reduced rate of 75% of the current unmetered (**flat**) rate for residents who are the head of the household living in the City who have reached the age of 65 and have an annual income less than 125% of Poverty Guidelines for Jasper County. Application for reduced rate shall be made in writing to the City Clerk. *(Ord. 558 – Oct. 10 Supp.)*

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old

the usual or customary trips in the regular changes in occupancies of property. *(Ord. 523 - Oct. 08 Supp.)*

**92.06 LIEN FOR NONPAYMENT.** The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for water service charges to the premises. Water service charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

*(Code of Iowa, Sec. 384.84)*

**92.07 LIEN EXEMPTION.** The lien for nonpayment shall not apply to a residential rental property where water service is separately metered and the rates or charges for the water service are paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential rental property and that the tenant is liable for the rates or charges. The City may require a deposit not exceeding the usual cost of ninety (90) days of water service be paid to the City. The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the rental property and the date of occupancy. A change in tenant shall require a new written notice to be given to the City within ten (10) business days of the change in tenant. When the tenant moves from the rental property, the City shall refund the deposit if the water service charges are paid in full. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within ten (10) business days of the completion of the change of ownership. The lien exemption does not apply to delinquent charges for repairs to a water service.

*(Code of Iowa, Sec. 384.84)*

**92.08 LIEN NOTICE.** A lien for delinquent water service charges shall not be certified to the County Treasurer unless prior written notice of intent to certify a lien is given to the customer. If the customer is a tenant and if the owner or landlord of the property has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than ten (10) days prior to certification of the lien to the County Treasurer.

*(Code of Iowa, Sec. 384.84)*

**92.09 CUSTOMER DEPOSITS.** The following deposits will be required:

1. All new accounts will be required to pay a deposit equal to three (3) months of sewer and water service (sales tax and solid waste fees not included). Deposits may not be used to pay past due accounts.

*(Ord. 552 - Apr. 10 Supp.)*

2. Any account existing on January 1, 1999, will be required to pay a deposit equal to one month's service if the City is required to discontinue service twice due to delinquent payments.

3. Under no circumstances will deposits be used to pay past due open accounts; however, deposits may be used to pay an unpaid balance on a closed account when a resident moves out. *(Ord. 528 – Oct. 08 Supp.)*

4. No deposit will be required on new accounts opened when a current resident of the City with a water payment record in good standing moves to a new location within the City. For the purposes of this section, the term “good standing” means a water customer of more than three (3) years whose account has experienced no more than one late payment in the past year and no shut-off related to nonpayment for the past two (2) years.

The deposits made by customers will be deposited into a non-interest-bearing customer deposit account and held there until service is permanently discontinued. When a customer discontinues water service, all deposits paid into the account will be refunded if the account is current. Amounts due will be subtracted from the account before refunds are issued.

**92.10 REQUESTED DISCONTINUANCE FEE.** There shall be a service fee collected for discontinuing and restoring water service for changes in occupancy, making repairs, or any other requested discontinuance in the amount of twenty dollars (\$20.00) during normal working hours and forty dollars (\$40.00) after normal working hours.

**92.11 VACANT PROPERTY.** When a property becomes vacant, the property owner may:

1. Notify the Clerk of the vacancy and upon such notification the monthly water service rate for the vacant property shall be the current minimum flat rate charged for water. *(Ord. 559 – Oct. 10 Supp.)*

2. Request that water service be temporarily discontinued and shut off at the curb valve. During the period when service is temporarily discontinued, there shall be no monthly water service charge billed to the vacant property. If conditions prohibit the curb valve from actually being shut off, upon payment of the \$20.00 fee, service shall be deemed discontinued for billing purposes.

**92.12 SENIOR CITIZEN REDUCED RATE.** Provisions shall be made for a reduced rate of 75% of the current unmetered (flat) rate for residents who are the head of the household living in the City who have reached the age of 65 and have an annual income less than 125% of Poverty Guidelines for Jasper County. Application for reduced rate shall be made in writing to the City Clerk. *(Ord. 558 – Oct. 10 Supp.)*

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## CHAPTER 93

# WATER WELL PROTECTION

93.01 Purpose

93.02 Establishment of Separation Distances

93.03 Definitions

93.04 Separation Distances Table

93.05 Control of Water Supply

93.06 Regulation of Wells Within City Limits

**93.01 PURPOSE.** The purpose of this chapter is to establish separation distances from wells from all structures and uses, to protect the public, and to preserve the health and welfare of the community by protecting water purity.

**93.02 ESTABLISHMENT OF SEPARATION DISTANCES.** The distances for separating uses and construction around all wells within the City, including old wells as well as new wells, have been established by State requirements relative to possible pollutants and their distances from wells, and the Council has found that the said State requirements shall be adopted as the minimum acceptable requirements for separation distances from wells, and no construction or use shall be allowed within said minimum distances to City wells as set forth herein.

**93.03 DEFINITIONS.** For use in this chapter, the following terms are defined. Use of the word "building" includes the word "structure."

1. "Animal enclosure" means a lot, yard, corral or similar structure in which the concentration of livestock or poultry is such that a vegetative cover is not maintained.
2. "Animal pasturage" means a fenced area where vegetative cover is maintained and in which the animals are enclosed.
3. "Animal waste" means animal waste consisting of excreta, leachings, feed losses, litter, wash water or other associated waste.
4. "Animal waste stockpiles" means stacking, composting or containment of animal wastes.
5. "Animal waste storage basin or lagoon" means fully or partially excavated or diked earthen structure including earthen side slopes or floor.
6. "Animal waste storage tank" means a completely fabricated structure, with or without a cover, either formed in place or transported to the site, used for containing animal waste.

7. "Cistern" means a covered tank in which rain water from roof drains is stored.
8. "Deep well" means a well located and constructed in such a manner that there is a continuous layer of low permeability soil or rock at least five feet thick located at a depth of at least 25 feet below the normal ground surface and above the aquifer from which the water is to be drawn.
9. "Low permeability" means an unconsolidated soil layer of well sorted fine grain-sized sediments that under normal hydrostatic pressures would not be significantly permeable. Low permeability soils may include homogeneous clays below the zone of weathering, mudstone, claystone and some glacial till.
10. "Privy" means a structure used for the deposition of human body wastes.
11. "Sanitary sewer pipe" means a sewer pipe complying with the standards of sewer construction of the Department of Natural Resources.
12. "Septic tank" means a watertight tank which receives sewage.
13. "Shallow well" means a well located and constructed in such a manner that there is not a continuous five-foot layer of low permeability soil or rock between the aquifer from which the water supply is drawn and a point 25 feet below the normal ground surface.
14. "Water main pipe" means a water main complying with the Table A, Separation Distances, Department of Natural Resources standards for water main construction.

**93.04 SEPARATION DISTANCES TABLE.** No building or use shall be allowed within the separation distances from City wells as set out in Table A, Separation Distances, at the end of this chapter. A building permit is required for all construction within 1,000 feet of municipal wells. No building permit shall be issued which is in violation of the separation distances from municipal wells if in violation of this chapter or a source of contamination for said well. Any use or construction in violation of this chapter is a nuisance as defined in Chapter 50 of this Code of Ordinances and prohibited pursuant to Section 50.04; and the notice requirements regarding abatement of nuisances and prohibited conditions and all provisions of this Code of Ordinances in regard to abatement, costs of collection, hearings and penalties for maintaining a nuisance or prohibited condition as set forth herein are applicable. Specifically, and in addition to any other remedies allowed by ordinance or at law, the City shall recover any costs for water treatment which are created by any source of contamination which is identified, where said source is in violation of this chapter.

**93.05 CONTROL OF WATER SUPPLY.** Whenever in the judgment of the Council it becomes necessary to conserve the water supply in the public interest, a resolution may be adopted to:

1. Regulate during certain hours or on certain days of the week the water that may be used for car and vehicle washing, watering lawns, gardens or other similar uses or prohibit the use of water for any such purposes for such times as the Council may determine;
2. Regulate the amount of water that any customer may use on any particular day or for any period of time and specify the purposes for which water may be used by any customer; or
3. Make additional rate changes for special uses by resolution or contract.

**93.06 REGULATION OF WELLS WITHIN CITY LIMITS.** No wells may be constructed or drilled within the City limits of Colfax without a permit. Permit applications shall be obtained from and presented to the Superintendent of Water/Sewer. The Superintendent of Water/Sewer shall present all applications to the Council for consideration and grant or denial. The Superintendent of Water/Sewer shall make recommendations to the Council regarding the grant or denial of any application, but the final decision shall rest with the Council. In considering the grant or denial of any application for construction or drilling of a well within City limits, the Council shall consider whether the property is furnished with pure and wholesome water, whether it is safe to construct or drill a well on the premises, and any other considerations which the Council deems appropriate. The grant of any application for permit to drill or construct a well shall not affect requirements of any other ordinances, City of Colfax. Violation of this section shall constitute a simple misdemeanor and shall be punishable as a municipal infraction as set forth in the Code of Ordinances. In addition, the Superintendent of Water/Sewer may at any time revoke the permit for any violation of Chapter 93 or any other chapter of this Code of Ordinances and may require that the work be stopped.

*(Ch. 93 – Ord. 473 – Jun. 03 Supp.)*



TABLE A

Source of Contamination			Distances (Feet)									
			5	10	25	50	75	100	200	400	1000	
WASTEWATER STRUCTURES	POINT DISCHARGE TO GROUND SURFACE	Well house floor drains	A									
		Water treatment plant wastes				A						
		Sanitary and industrial discharge									A	
	SEWERS AND DRAINS	Well house floor drains to surface	ENC A	WM A	A	SP	A	-----Unknown-----				
		Well house floor drains to sewers			A	WM	A	SP	A	--Unknown--		
		Water plant wastes			A	WM	A	SP	A	--Unknown--		
		Sanitary and storm sewers, drains			A	WM	A	SP	A	--Unknown--		
		Sewer force mains					A	WM	WM	A	SP	
		Land DISPOSAL OF WASTES	Land application of solid waste						D	S		
	Irrigation of wastewater							D	S			
	Concrete vaults and septic tanks							D	S			
	Mechanical wastewater treatment plants								D	S		
	Cesspools and earth pit privies								D	S		
	Soil absorption fields								D	S		
	Lagoons									D	S	
CHEMICALS	CHEMICAL AND MINERAL STORAGE	Chemical application to ground surface							D	S		
		Above ground							D	S		
		On or under ground								D	S	
ANIMALS	ANIMAL WASTES	Animal pasturage				A						
		Animal enclosure						D	S			
		Land application of solids							D	S		
		Land application of liquid or slurry							D	S		
		Storage tank							D	S		
		Solids stockpile								D	S	
		Storage basin or lagoon									D	S
MISCELLANEOUS		Earthen silage storage trench or pit						D	S			
		Basements, pits, sumps		A								
		Flowing streams or other surface water bodies				A						
		Cisterns				D		S				
		Cemeteries								A		
		Private wells								D	S	
		Solid waste disposal sites										A

KEY	
D	Deep Well
S	Shallow Well
A	All Wells
WM	Pipe of Water Main Specifications
SP	Pipe of Sewer Pipe Specifications
ENCWM	Encased in 4 inches of Concrete

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