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ORDINANCE NUMBER 131

AN ORDINANCE FOR THE CITY OF DOVER A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; REPEALING ORDINANCE NO. 105; PROVIDING DEFINITIONS; PRESCRIBING THE RULES, RATES AND REGULATIONS FOR THE CONDUCT AND OPERATION OF THE DOVER WATER SYSTEM AND CONNECTION THEREWITH; REGULATING AND GOVERNING THE USE OF WATER FROM SAID SYSTEM; PROVIDING PENALTIES FOR NONPAYMENT OF WATER SERVICE AND FOR VIOLATION OF THIS ORDINANCE; PROVIDING SAVING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF DOVER ORDAINS AS FOLLOWS:

SECTION 1: Short Title

This ordinance shall be known as "Rules, Rates, and Regulations for the Operation of the Water Department of the City of Dover, Bonner County, Idaho", and may be so cited and pleaded.

SECTION 2: Definitions of General Terms

Accessory Dwelling Unit (or ADU): A second, subordinate dwelling unit for use as a complete, independent dwelling. An ADU is defined by the following specifications:

- An ADU has permanent provisions for living, sleeping, eating, cooking and sanitation.
- An ADU may have a separate outside entrance outside the primary structure or
- An ADU can be attached to the primary unit or be detached or
- An ADU can be located above or attached to a garage.

Applicant: Shall mean the person or persons, firm or corporation, making application for water service from the City of Dover under the terms of these regulations.

American Water Works Association (AWWA): The largest nonprofit, scientific and educational association dedicated to managing and treating water.

Annual Fixed Costs: The budgeted annual operating costs of the Dover Water Department that are independent of the amount of water treated.

Annual Variable Costs: The budgeted annual operating costs of the Dover Water Department that are proportional to the amount of treated water produced.

Backflow Device: A device that is installed in a water distribution system to prevent reverse flow as required in the Uniform Plumbing Code, Section 209 and 409.

Base Water Rate: The monthly rate for water service that is independent of the amount of water that is used.

City: Shall mean the legally constituted municipal government of the City of Dover, Bonner County, Idaho.

City Council: Shall mean the legally elected or appointed group of members comprising the City Council, including the Mayor of the City of Dover, Bonner County, Idaho.

Customer Service Line: Shall mean the water service line from the outlet connection of the meter box to the customer's property.

Customer and User: Shall mean an applicant who has been accepted under the terms of these regulations and who receives water service from the City of Dover.

Dover Water System: All mains, pipes, and structures through which Dover water is distributed, including pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for domestic and commercial use and the administration thereof.

Equivalent Residential Unit or 'ERU': Shall mean the owner's anticipated use of the City's water system, based on the equivalency to a single-family residential unit.

Inactive Water Service: A Customer's water service shall be designated inactive under the following conditions:

- a water connection has been purchased by the Customer but has not been connected to the Dover Water System; or
- a water connection has been purchased and connected to the water system, but the meter has been turned off either by the City for non-payment or because the Customer has elected not to use water.

Main Extension: Refers to all proposed extensions of the water system to serve undeveloped areas within the existing corporate limits, newly annexed areas, or areas outside the corporate limits of the City of Dover.

May: "May" is permissive (see definition of "Shall").

Meter ERUs: The number of Equivalent Resident Units assigned to a meter account.

Meter Size and Type Factor or "MSTF": The number of ERUs assigned to a water meter as determined using the maximum capacity of a water meter as established by AWWA.

Occupant: Refers to the tenant, developer, leaseholder, or other person who occupies the property of an owner that is served by the Dover water system.

Ordinance Effective Date: The recorded date that this ordinance is passed and publicized as required by Idaho State Code.

Owner: Refers to the property owner whose property is served by the domestic water system.

Service area: The area served by the Water Department shall be all that area included within the corporate limits of the City of Dover, excluding that area served by Syringa

Heights Water District. The area served may be expanded by annexation into the City of Dover. Other areas may be served by agreement, approved by the City Council.

Service connection: Refers to that portion of a water service line that runs from its connection with the water main to and including the curb stop and/or valve box and meter (see Appendix A).

Single-family residential unit: A single-family detached residential unit is the most common form of development within the City, and the standard measurement from which all other uses shall be compared.

Shall: "Shall" is mandatory (see definition of "May")."

Superintendent: Shall mean the person appointed by the City Council to superintend the affairs of the Dover Water Department.

Total Annual Metered Water Consumption: This is the total number of metered gallons of water that are consumed by all users of the Dover Water Department.

Total ERUs: This is the total number of ERUs that are serviced by the Dover Water Department.

Usage Fee: This is the cost for each gallon of water used.

Water Connection Fee: Shall mean a payment of money imposed on the property owner as a condition of connecting to the City's water system.

Water Department: The water department of the City of Dover, Bonner County, Idaho.

Water Main: Any pipeline owned by the city for the purposes of distribution of water to serve more than one water user.

SECTION 3: Applicability of Provisions

The provisions of this ordinance shall apply to all water users and property owners within the Dover city limits and any water users and owners outside of the Dover city limits receiving water service from the Dover water system.

All users of the Dover water system are obligated to pay their proportionate share of the assessments, fees, and charges established in this ordinance. All water users and owners who have been and are connected to the Dover water system who have not previously been charged are obligated to pay that proportionate share established during such period of usage provided that the demonstrable evidence is present to substantiate such usage. However, such evidence cannot predate August 27, 1991.

All existing premises shall be connected to the Dover water system that are:

- in the service area; and there is a water main within three hundred feet (300') of the property line; and
- occupied or able to be occupied by any person or commercial business after August 27, 1991; and
- not connected to a public or private community water system recognized and regulated by the Idaho Department of Environmental Quality prior to the effective date of this ordinance. Any exceptions to the foregoing must be approved in writing by the City Council. Existing exempted properties are listed in Appendix B.

Any newly built premises designed for occupancy after the date of passage of this ordinance that has a water main within three hundred feet (300') of the property line shall be connected to the Dover water system.

SECTION 4: Description of Service

The Water Department will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a reasonable pressure and to avoid, so far as reasonably possible, any shortage or interruption of delivery. The City shall not be liable for damage resulting from the interruption in service due to lack of service.

Service interruption: Temporary suspension of service by the Water Department for improvements and repairs will occasionally be necessary. Whenever possible, and when time permits, all customers affected will be notified prior to shutdowns.

Water shortage: In case of shortage of supply, the City reserves the right to give preferences in the matter of furnishing services to customers from the standing of public convenience.

Water quality: The Water Department will exercise reasonable diligence to supply safe and potable water at all times that meets or exceeds Idaho Rules for Public Drinking Water Systems (IDAPA 58.01.08).

SECTION 5: Classes of Service

The classes of service shall be residential, multi-family, commercial, standby fire, fire service, contract service and temporary water service as further qualified as follows:

Residential Water Service: Residential water services shall consist of all water services for domestic purposes, single family dwellings, homes or other municipal structures.

Multi-family Water Service: Multi-family water services shall consist of all water services for multiple families that are serviced by a single water service line and/or meter.

Commercial Water Service: Commercial water services shall consist of those services where water is used for business services.

Standby Fire Service: Standby fire service shall consist of those services where water is available or used for fire protection only.

Fire Service Connections Other Than Standby: Fire Service Connections Other Than Standby are for a user having fire protection facilities on the premises and water for other purposes flowing through the same service connection.

Contract Water Service: Contract Water Service is for applicant’s whose requirements for water are unusual or large, such as an independent water district.

Temporary Service Connections: Temporary Service Connections are for water service of a temporary nature and for a limited time.

SECTION 6: Meter Size and Type Factor (MSTF)

The number of ERUs assigned to a water meter is determined using the meter size and type factor (MSTF) which represents the maximum capacity of a water meter as established by AWWA.

Table 6.1 Meter size and type factor (AWWA Manual M-22).

Service line diameter	Displacement meter	Turbine meter	Compound meter
3/4"	1		
1"	2		
1.5"	3	5	
2"	5	7	5
3"		16	11
4"		28	17
6"		61	33
8"		107	53
10"		167	

The MSTF is used to calculate:

- New user facility fee (Section 8)
- Monthly water rate (Section 10)
- Monthly standby fire protection rate (Section 11)

SECTION 7: Meter Accuracy

Meter Accuracy: Prior to installation, all meters shall meet AWWA standards. No meter will be placed in service or allowed to remain in service which is known to have an error on registration in excess of two (2) percent under conditions of normal operation.

Customer Request: Giving not less than fifteen (15) days written notice, a customer may request the Water Department replace the meter servicing their premises. If the replacement meter does not exhibit a significant difference in flow measurement when compared to both the preceding months as well as the same months from the previous year, the cost of replacing the meter shall be borne by the customer. The costs of the meter replacement shall be established by Resolution of the City Council.

Adjustments of Bill for Meter Error: Should the replacement meter show variance high or low, no credits or debits will be borne by the City or the customer.

Non-registering Meter: Whenever possible, the Water Department will immediately replace any non-registering meters. However, if circumstances prohibit replacing the non-registering meter, the City will bill the customer for estimated water consumed while the meter is not registering. The estimate of consumption shall be based either upon the customer's prior use during the same season of the previous year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season under similar circumstances and conditions. If there is no reasonable comparison available, the City will make an estimate of customer water consumption based upon all available data.

SECTION 8: New User Facility Fee (NUFF)

The City shall collect from all users, a new user facility fee (NUFF). The NUFF shall be equal to the number of ERUs assigned to the water meter as calculated using the meter size and type factor or MSTF (Section 6) times the water hook-up cost for a single family residence.

Single family residence water hook-up cost: The single family residence water hook-up cost is calculated as an equitable buy-in to the system based on capital improvements installed by the City, previous Local Improvement Districts (LIDs) or others. Policies for establishing the basis for the single family residence hook-up cost shall be adopted by Resolution of the City Council. It is required that within sixty (60) days following passage of this ordinance and every year thereafter, the City Council shall meet and shall calculate the single family residence water hook-up cost fee to be charged by the City. The calculation of this fee shall not be based upon any budgetary needs except for the mandate that the water system shall be self-supporting.

ERU adjustment: At any time the City reserves the right to adjust the number of ERUs assigned to a given water meter (both with respect to collection of additional new user facility fees and with respect to the assessment of monthly water charges) in the case of a change in use by a particular user.

SECTION 9: Auxiliary Dwelling Units (ADUs)

An auxiliary dwelling unit (or ADU) is a second, subordinate dwelling unit for use as a complete, independent dwelling (full definition in Section 2). The minimum charge for an Accessory Dwelling Unit shall be 0.5 ERU.

SECTION 10: Water Rates

Monthly fee: The monthly water rate for each meter shall be calculated using the following:

$$\text{Monthly fee} = (\# \text{ ERUs}) \times (\text{Base rate}) + (\text{Usage rate}) \times (\text{Monthly water usage}) \quad (\text{Eq. 10.1})$$

Monthly base rate: The monthly base rate shall be calculated as follows:

$$\text{Base rate} = (\text{Annual Fixed Costs}) / [12 * (\text{Total \# of ERUs})] \quad (\text{Eq. 10.2})$$

Monthly water usage rate: The monthly water usage rate shall be calculated as follows:

$$\text{Water usage rate} = (\text{Annual Variable Costs}) / (\text{Total Annual Metered Water Consumption}) \quad (\text{Eq. 10.3})$$

Tiered Water Usage Fee Rate: The City Council may specify a tiered water usage rate where the first block of water used is charged at one water usage rate, and subsequent blocks of water are charged at different water usage rates. An example of a tiered water fee schedule is shown in Table 10.1:

Table 10.1. Example of a Tiered Water Usage Fee

	Water usage fee \$/1000 gallons
0 to 7,000 gallons	\$2.50
7,000 gallons to 10,000 gallons	\$3.80
Over 10,000 gallons	\$4.50

If a tiered water usage fee is used, the monthly base rate (Equation 10.2) shall be increased so that the estimated annual income for the Water Department is equal to the sum of the budgeted annual fixed costs and the annual variable costs so the Water Department is revenue neutral for the year.

Water rate for inactive accounts: The City Council may set a monthly rate for inactive water accounts as either the monthly water base rate (Equation 10.2) or as a rate specified by the City Council.

Updating the Water Rate Schedule: Within sixty (60) days of approving the annual Water Department budget, the monthly fees and rates (base rate, usage rate and inactive account fee) shall be reviewed and will be set by Resolution of the City Council. The rate schedule

may be revised by the City Council without invalidating the remainder of these Rules, Rates and Regulations.

SECTION 11: Fire Protection Rates

Charges for Standby Fire Protection Service: The oversizing of a water system to provide standby fire protection service increases capital and annual operating and maintenance costs. As such, the City shall charge for standby fire protection service and the monthly charge shall be calculated using the equation:

$$\text{Monthly Standby Protection Rate} = (\text{Standby Multiplier}) \times (\text{Water Base Rate})$$

(Eq.11.1)

The standby multiplier is determined by the service line size and shall be set by Resolution of the City Council.

Charge for Water Use: No charge will be made for water used in the standby fire protection services to extinguish accidental fires or for routine testing of the fire protection system.

Unapproved Water Use: Standby fire protection service connectors will be installed only if adequate provisions are made to prevent the use of water from such services for purposes other than fire extinguishing. Sealed fire sprinkler systems with water operated alarms shall be considered as having such provisions. The Water Department may require that a suitable detector check meter be installed in the standby fire protection service connections, to which hose lines or hydrants are connected.

Fire Service Connections Other Than Standby: A user having fire protection facilities on the premises and water for other purposes flowing through the same service connection shall be considered as an ordinary service and metered as such. All water used through that service, regardless of its use, will be charged at the regular rates.

Violations of Regulations: If water from a standby fire protection pipe connection service is used in violation of these regulations, an estimate of the amount of water used will be computed by the Water Department. The regular rates, including the minimum charge based on the size of the service connection and subsequent bills rendered on the basis of the regular water rates will be applied and billed to the property owner.

SECTION 12: Fire Hydrants

Operation: No person or persons other than those designated and authorized by the Water Department shall open any fire hydrant belonging to the City and attempt to draw water from it or in any manner damage or tamper with it.

Temporary Water Service: In cases where water is received through a fire hydrant because temporary service has been granted, an auxiliary external valve shall be used to control the flow of water.

Alternative Fire Hydrant Use: Persons that have received written authorization from the City may draw water from City designated fire hydrants for use in street construction and maintenance. Water use shall be estimated by the user and reported weekly to the City.

Water Cost: Charges for alternative fire hydrant use will be stated in the published water rate schedule and set by Resolution of the City Council.

Moving a Fire Hydrant: When a fire hydrant has been installed in locations specified by the proper authority, the Water Department has fulfilled its' obligation. If a property owner or other party desires to change the size, type, or location of the hydrant, they shall bear all costs of such changes. Any changes in the location of a fire hydrant must be approved by the City Council, the Water Department and the Westside Fire District.

SECTION 13: Temporary Water Service

Description: For water service of a temporary nature, the applicant shall pay the water bill in advance based on an estimate of the quantity to be used, or shall otherwise establish satisfactory credit. Charges for water furnished through a temporary service connection shall be at the established rates set forth in the current rate schedule and set by Resolution of the City Council.

Purchase and Installation: Purchase and installation of the temporary service connection shall be the responsibility of the applicant. The installation of the temporary service connection shall be performed by a City approved Idaho Public Works Contractor using only materials specified in writing by the City. Maintenance and repair of the temporary service connection shall be the responsibility of the City, unless the service connection is covered by Contractor warranty.

Direct Fill of Water Tanks: When temporary use includes the direct fill of tanks, an air gap must be maintained to prevent back-flows.

Relocation of Temporary Service: All costs to relocate and install a temporary service connection to a permanent location shall be the responsibility of the applicant and all work shall be performed by a City approved Idaho Public Works Contractor. The applicant shall advise and receive approval from the City as to the location of the permanent service connection.

Time Limit: Temporary service connections shall be disconnected and terminated within six (6) months after installation unless an extension of time is granted in writing by the City.

Account termination: Upon termination of the temporary service, the applicant shall determine the total amount of water used and if additional payment is due the City for water usage. Final payment shall be due within thirty (30) days of the termination of the temporary service.

SECTION 14: Unusual Demands

When an abnormally large quantity of water is desired by a user, arrangements must be made with the City prior to taking such water to be certain that other consumers are not adversely impacted. The monthly limit for water usage that requires City notification by the user shall be set by Resolution of the City Council.

Penalties: The first occurrence in a calendar year of exceeding the monthly limit without notifying the City shall result in a written warning to the user by the City. All subsequent occurrences in a calendar year of exceeding the monthly limit without notifying the City shall result in a penalty to be established by Resolution of the City Council.

Curtailment of Service: If the City believes that the use of abnormally large quantities of water is adversely impacting other consumers, or is due to a leak, wasteful use or unsafe conditions, the Water Department may curtail or discontinue water service as per Section 21.

SECTION 15: Application for Water Service

An application for service is required for each new service connection or change of land ownership of an existing service connection.

User Application Form: Each applicant for water service shall sign a user application form provided by the City. The applicant must be the owner of the property and the party responsible for payment of all bills. In signing the application, the applicant agrees to abide by the rules and regulations of the City. The application is merely a written request for service and does not bind the City to serve

Application Amendments: Customers desiring a material change in the size, character or extent of equipment or operation which would result in a material change of the amount of water used shall give the City written notice of such change thirty (30) days prior to the change and the application for service shall be amended if the change is deemed appropriate by the Water Department.

Application Denial: The City may deny an initial application for water service for good cause. Such instances may include, but not be limited to, unresolved prior debt or dispute, or history of violation of items listed in this ordinance.

SECTION 16: Water Main Extension

Extension of water mains within the Service Area: The City Council may extend water mains within the City whenever, in their sole discretion, such extension is necessary for the health, welfare or safety of the residents of the City, provided however nothing herein shall require that such extension be made at City expense. The City may require any customer desiring water service to install at the customer's expense a water main extending from existing water mains to the customer's property and along the entire frontage of the

customer's property. The City may also require the customer to submit design drawings and specifications prior to the commencement of the construction of such extension.

Installation procedures: Water main extension shall only be installed under procedures to be established by the City Council. The Water Department shall make water main extensions only on right-of-ways, easements, or publicly owned property.

Easements: Easements or permits secured for main extensions shall be delivered to the City ready for recording, along with all rights and title to the water main at the time water service is provided to the customer paying for the extension.

Subdivisions: Sub-dividers for newly partitioned properties will assume all costs of main extensions and obtain prior approval of the City Council.

SECTION 17: Service Connection

Definition: The water service connection is defined as the water service line from the water main and the meter box and water meter (Appendix A).

Ownership: The City shall own and maintain the water service connection.

Maintenance: Maintenance and/or installation shall only be performed by authorized city employees or an Idaho State licensed Public Works Contractor approved by the City. Upon inspection and acceptance by the City, the ownership, maintenance, repair and/or replacement of the Service Connection shall be the responsibility of the City.

Size of Service Line and Water Meter: The Water Department will determine the appropriate size of service line and water meter based on the applicant request provided such request is reasonable and that the size requested is one that is listed by the Water Department. The applicant is responsible for purchase and installation of the water meter.

The minimum size of service shall be three-fourths inch. The Water Department may refuse to install a service line which is undersized or oversized as determined by a study and report by the Water Department to the City Council.

Increases in Service Line Size and Water Meter: Increase in the size of the service line and/or water meter requested by the customer shall be paid by the customer on the basis of the cost of installation plus an increase in the water connection fee based on the Meter Size and Type Factor (MSTF) found in Table 6.1.

Decreases in Service Line Size and Water Meter: Decrease in the size of the service line and/or water meter requested by the customer shall be paid by the customer on the basis of the cost for installation. There is no refund in water connection fee from the City to the customer.

Service Line Length: Where the main is in a public right-of-way, the meter will be placed at the right-of-way line nearest the property to be served for the standard connection fee, provided the length of service line does not exceed the width of the right-of-way.

Where the main is on an easement or publicly owned property other than designated rights-of-way, the service line shall be installed to the boundary of the easement or public property by the Water Department provided the length of the service line does not exceed thirty (30) feet.

If, in either case cited above, the length of the service line to the meter location exceeds the maximum stated, the applicant shall pay the extra cost of the line on the basis of actual cost to the City for labor, materials, and equipment plus eighteen (18) percent.

Joint Service Connections: The Water Department may, at its option, serve two or more premises with one connection. For new service connections, the inside diameter of such joint lines shall be sufficient to provide a carrying capacity of no less than the combined capacity of individual service lines of the same size as the meters installed.

Customer service line extensions from an existing customer service line to occupancies or ownerships other than that which the existing customer service line was intended shall not be permitted nor shall separate residences be permitted to receive water service through one meter except under special considerations and written approval of the City Council.

Changes in Location: Meters or water services lines moved for the convenience of the customer will be relocated only at the customer's expense and with prior City Council approval.

Damage to Water Department Equipment: The customer shall be liable for any damage to equipment owned by the Water Department, which is caused by an act of the customer, his tenants, agents, employees, contractors, licensees or permit holder. Damage to equipment shall include but not be limited to breaking seals and locks, tampering with meters, injury to meters, including but not limited to damages by hot water or steam, and damaged meter boxes, curb stops, meter stops and other appurtenances.

SECTION 18: Notices

Notices to Customers: Notices from the City and the Water Department to the customer shall be given in writing and either mailed to or delivered to the customer at the last known address. Where conditions warrant and in emergencies, the Water Department may notify either by telephone or messenger.

Notices from Customers: Notices from the customer to the City and the Water Department shall be given by the customer or their authorized representative in writing to Dover City Hall.

SECTION 19: Billings and Payments

Meter Readings: Meters will be read and customers billed on the basis of the meter reading to the nearest 100 gallons. The City will keep an accurate account on its books of all readings of meters and such accounts so the meter readings shall be offered at all times, places and courts as prima facie evidence of the use of water service by the customer.

Rendering of Bills:

- a. **Billing Period:** All bills shall be rendered monthly.
- b. **Bills for Other than Normal Billing Period:** When opening or closing bills or bills for periods other than the normal monthly billing, all monthly fees shall be pro-rated.
- c. **Billing Start Date:** When a water connection is purchased, billing shall begin.
- d. **Bills for More than One Meter:** All meters supplying a customer's premises shall be billed separately, except that where the Water Department has for operating purposes installed two or more meters in place of one, the reading may be combined for billing.

Disputed Bills: When a customer disputes a monthly water bill, the customer shall deposit the amount of the disputed bill at the time the complaint is lodged to preclude discontinuance of service pending final settlement of the bill or bills. Subsequent bills shall be paid or placed on deposit in a similar manner. Failure of the customer to make such a deposit shall warrant discontinuance of service as provided under Section 21. Disputes shall be addressed within thirty (30) days by the City.

Failure to Read Meter: In the event that it shall not be possible or practical to read a meter on the regular reading date, the customer will be charged using the following:

$$\text{Monthly Fee} = (\# \text{ ERs}) \times (\text{Base Fee}) \quad (\text{Eq. 19.1})$$

In subsequent months when the meter is able to be read, the monthly water rate will be calculated using the last valid meter reading and the calculation found in Section 10.

Payment of Bills:

- a. The City shall bill the property owner for water use and the property owner shall be the responsible party.
- b. Each bill shall contain the final date on which payment is due. If the bill is not paid by that date, the account shall be considered delinquent, unless other arrangements have been made with the City in writing that specifies another due date.

SECTION 20: Delinquent Accounts

Delinquent Notice: A reminder of account delinquency may be sent, at the discretion of the City, to each delinquent account.

Turn-Off Notice: On or about fifteen (15) days after an account becomes delinquent, a turn-off notice shall be sent to the customer via mail. The turn-off notice shall state a date on which water will be turned off if delinquent account is not paid in full thereto. The turn-off date shall be at least fifteen (15) days after the delivery of the turn-off notice.

Turn-Off of Water Service: On the turn-off date, the meter reader or other agent of the City shall deliver a written notice to the customer stating that the water service is being turned off until all delinquent amounts plus late fees and penalties have been paid. The agent of the City shall immediately thereafter turn off the service. A delivery to the premises served by the meter shall be considered a delivery to the customer. The service shall not be discontinued without a turn-off notice being delivered at least fifteen (15) days prior to the date of discontinued service.

Service Charge: In all instances where water has been turned off because of account delinquency, a service charge shall be made for restoration of services as set forth by Resolution of the City Council.

Installment Payments of Delinquent Accounts: In cases of extreme hardship, the City shall have the discretion of renewing service to a delinquent account upon receipt of a satisfactory installment plan for the payment of the overdue amount.

SECTION 21: Discontinuance of Service

On Customer Request: Each customer about to vacate any premises supplied with water service by the Dover water system shall give the City written notice of their intentions at least fifteen (15) days prior thereto, specifying the date service is to be discontinued; otherwise, they will be responsible for all water supplied to such premises until fifteen (15) days after the City shall receive notice of such service discontinuation.

At the time specified by the customer that they expect to vacate the premises where service is supplied or that they desire to be discontinued, the meter will be read and a bill rendered which is payable immediately.

Non-payment of Water Service Charges: If such rates and charges are not paid when due by any such person, firm or corporation, the amounts so unpaid may be certified by the City Clerk to the Bonner County Tax Assessor of Idaho and shall be assessed a tax lien against the property as provided by law and shall be collected and paid over to the City in the same manner as other taxes are assessed, collected and paid over, with interest. Interest on unpaid bills shall run from the due date thereof at the rate of twelve (12) percent per

annum. Such unpaid charges may also be recovered in an action of law in the name of the City, with interest.

Non-payment of Inactive Water Service Charges: After three (3) months of non-payment of inactive water service charges, the City shall begin disconnection proceedings of the customer's water connection. The City shall inform the customer via mail that within forty-five (45) days, the customer shall be disconnected from the water system and once done, the owner must purchase a new water hookup prior to reconnect to the system.

Once notified by the City of the discontinuance of water service, to avoid disconnection the customer may:

1. Pay the full service charges including twelve (12) percent interest; or
2. Request a hearing of the City Council at the next regularly scheduled City Council meeting. At this hearing the customer or his/her representative may request an extension to allow the customer additional time to bring the account up to date.

If the customer does not pay the full service charges plus interest or the City Council determines that circumstances do not warrant a time extension, the customer will be disconnected and the customer must purchase a new water hookup prior to reconnecting to the system. After disconnection, the City will inform the customer via mail.

Improper Customer Facilities:

- a. **Unsafe Facilities:** The Water Department may refuse to furnish water and may discontinue services to any premises without prior notice where plumbing facilities, appliances, or equipment using water are dangerous, unsafe or not in conformity with the plumbing code of the State of Idaho.
- b. **Cross Connections:** A cross connection is defined as any physical connection between the Dover water system and another supply. The Idaho State Health Division and the U.S. Environmental Protection Agency prohibit cross connections.

The Water Department will not permit any cross connection and will discontinue service to any persons or premises where a cross connection exists. Service will not be restored until the cross connection is eliminated. Customers using the water from one or more sources in addition to receiving water from the Water Department on the same premises shall maintain separate systems for each and the Water Department's supply facilities shall be separated from any and all other systems by an air gap of not less than one (1) foot, or in the ground, by not less than ten (10) feet, horizontally.

Water Waste: Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the City may discontinue service if such conditions are not corrected after due notice by the City.

Service Detrimental to Others: The City may refuse to furnish water and may discontinue service to any premises where excessive demands by one customer will result in inadequate service to others.

Fraud or Abuse: The City will refuse or discontinue service to any premises where it is deemed necessary to protect the Water Department from fraud or abuse. Discontinuance of service from one or both of these causes will be made immediately upon receipt of knowledge by the Water Department that the condition or conditions exist.

Unauthorized Turn-On of Water Service: Where water service has been discontinued for any reason and the water is turned back on by the customer or other unauthorized person, the water may then be shut off at the main or the meter removed. The charges for shutting off the water at the main or removing the meter shall be set by Resolution of the City Council. These charges shall be billed to the offending customer and water shall not be furnished to the premises or customer until such charges are paid and the Water Department has reasonable assurance that the violation will not reoccur.

Non-compliance with Regulations: The Water Department, may, upon five (5) days' notice, discontinue service to a customer's premises for unsafe facilities, cross connections, wasted water, service detrimental to others, fraud or abuse or unauthorized turn-on of water.

SECTION 22: Restoration of Service

Restoration after non-payment: Restoration of service after discontinuance for non-payment of bills shall be made after payment of current and past due charges plus late fees and service fees and any interest. The charges for restoring water service after discontinuance for non-payment of bills shall be set by Resolution of the City Council.

Restoration upon new ownership: When there is a change in ownership, the new owner must complete a User Application Form.

Other: Restoration of service after discontinuance of service for unsafe facilities, water waste, fraud, abuse or non-compliance with any of the policies, rules and regulations will only be made after the irregularity has been corrected and the City and Water Department have been assured that the irregularity will not reoccur. The charges for restoring water service after discontinuance for unsafe facilities, water waste, fraud, abuse or non-compliance with any of the policies, rules and regulations shall be set by Resolution of the City Council.

SECTION 23: Excess Water Charge Adjustment Policy

When a residential customer experiences a water leak causing excessive water usage over a limit set by Resolution of the City Council and the usage has been caused by a defect or defects and the defect(s) is/are repaired promptly on discovery, the City Clerk is authorized to make a settlement of the charges in the following manner:

- The estimate of consumption shall be based either upon the customer's prior use during the same season of the previous year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season under similar circumstances and conditions. If there is no reasonable comparison available, the City Clerk will make an estimate of customer water consumption based upon all available data.
- Payment will be made by the customer upon receipt of the adjusted bill unless a determination has been made by the City Clerk that a payment plan is in order.

No adjustment shall be made unless the Customer has taken reasonable steps to immediately repair the defect upon discovery.

SECTION 24: Rate Schedule Updates

The following fees are to be set by Resolution of the City Council:

Annual Updates: The following charges in the Water Rate Schedule are to be updated annually by Resolution of the City Council:

- a. New User Facility Fee (Section 8)
- b. Monthly Water Base Rate, Water Usage Rate and Inactive Account Fee (Section 10)

Ad Hoc Updates: The following charges in the Water Rate Schedule are to be updated as required by Resolution of the City Council:

- a. Cost for meter replacement (Section 7)
- b. New User Facility Fee (Section 8)
- c. Monthly Water Base Rate, Water Usage Rate and Inactive Account Fee (Section 10)
- d. Charges for standby fire protection service (Section 11)
- e. Water charges for alternative fire hydrant use (Section 12)
- f. Water charges for water furnished through a temporary service connection (Section 13)
- g. Cost for repeatedly exceeding the maximum monthly usage without informing the City (Section 14).
- h. Service charge for the restoration of services after discontinuance for non-payment of bills (Section 21).

- i. Service charge for the restoration of services after discontinuance of service for unsafe facilities, water waste, fraud, abuse or non-compliance with any of the policies, rules and regulations (Section 21)
- j. Service charge for discontinuing service or removing meter after the service has been discontinued by the Water Department for any reason and the water is turned back on by the customer or other unauthorized person (Section 21)
- k. Emergency water service shut-off during working hours.
- l. After-hours emergency water service shut-offs.
- m. Standby fire protection cost (Section 11)
- n. Limit for excess water charge adjustment (Section 23)

SECTION 25: Penalties

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor, punishable by up to six (6) months in jail and/or One Thousand Dollars (\$1,000.00) fine.

SECTION 26: Suspension of Rules

No employee of the Water Department is authorized to suspend or alter any of the policies, rules or regulations cited herein without specific written approval or written direction of the City Council, except in cases of emergency involving loss of life or property or which would place the water system in jeopardy.

SECTION 27: Easement

Each applicant and user gives and grants to the City of Dover an easement and right-of-way on and across his property for the installation of service lines, meter boxes and water meters and all necessary valves and equipment in connection therewith.

SECTION 28: Prior Ordinances

City of Dover Ordinance 105 is hereby repealed in its entirety. The provisions of any prior ordinance of the City of Dover that may be in conflict with any of the rules, regulations, or provisions herein contained are hereby repealed and superseded.

SECTION 29: Saving Clause

If any clause, sentence, paragraph, section, or portion of this ordinance for any reason shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this ordinance, but shall be confined in its operation to the clause, sentence, paragraph, section, or portion of this ordinance directly involved in the controversy in which the judgment is rendered.

SECTION 30: Effective Date

This ordinance shall be in full force and effect upon passage and publication provided by law.

Upon a MOTION for the suspension of the rules and a MOTION and second to APPROVE the forgoing the following Roll Call vote was recorded:

Councilman Hewitt	Aye
Councilwoman Brockway	Aye
Councilman MacDonald	Aye
Councilman Strand	Absent

PASSED AND ADOPTED BY THE DOVER CITY COUNCIL AND APPROVED BY THE MAYOR THIS 4TH DAY OF JUNE 2014

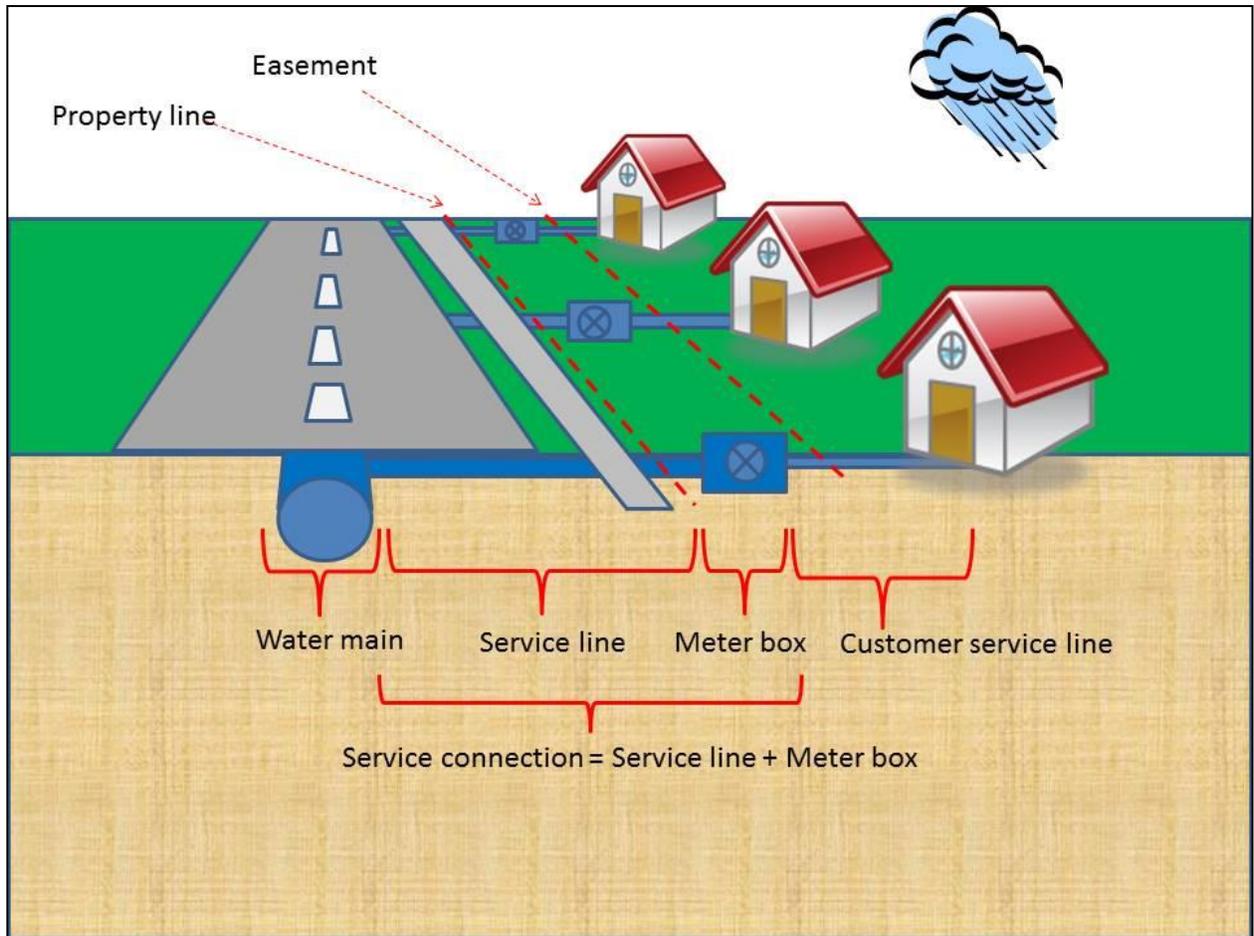
BONNER COUNTY, IDAHO
CITY OF DOVER

Annie Shaha, Mayor

Attest _____
Jacquie Albright, City Clerk

APPENDIXES:

APPENDIX A: Description of Physical Layout



APPENDIX B: Lot Exceptions from Provision Applicability (SECTION 3)

LOT EXCEPTIONS

Cedar Ridge Lot 10

Cedar Ridge Lot 14

