

13.04.010

Chapter 13.04

WATER SERVICE SYSTEM

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13.04.010 Administration. A. The operations and business of the water department of the city shall be directed by the city manager and community development director.

B. The water department shall have under its direction a water superintendent who shall have been employed by the city manager and community development director.

C. The superintendent of the water department, hereinafter called "superintendent," shall have charge of the maintenance and operation of the water supply, treatment plant, pumping equipment, and all other appurtenances of the water treatment system under the supervision and direction of the city manager and community development director. He is also authorized to employ the necessary labor for properly carrying out his duties and maintaining the water department facilities.

D. The city recorder-treasurer shall be responsible for the rendering and collection of bills for all rentals, fees, deposits and other charges made for water services. All revenues therefrom shall be accounted for in a manner satisfactory to the city manager and community development director and shall be deposited regularly in the city treasury in the same manner approved for other municipal deposits.

E. The city recorder-treasurer is authorized to issue warrants for payment and to issue checks for payment of all

labor contracted for by this superintendent upon presentation of time records and bills properly countersigned by the superintendent and community development director without approval by the city manager.

F. The city of Scappoose shall also employ a field services supervisor who shall have charge of the water distribution system, fire hydrants, meters, and all other appurtenances of the water distribution system under the supervision and direction of the city manager and community development director. He shall also be responsible for the reading of all water meters. He is also authorized to employ the necessary labor for properly carrying out his duties and maintaining the water distribution facilities.

(Ord. 724 §1, 2002; Ord. 514 §1, 1986; Ord. 500 §1, 1985; Ord. 440 §1, 1982; Ord. 417 §1, 1981; Ord. 379 §1, 1978)

13.04.020 Water mains. A. The water mains of the city shall be under the complete control of the field services supervisor, and no person or persons other than those authorized to do so by the field services supervisor shall tap, change, obstruct, interfere with, or in any way disturb the water system. The only exception shall be development reviewed and approved by the city engineer.

B. Extension of water mains within the corporate limits of the city may be made by the water department, but such extensions will be made only when, in the judgment of the city council, it is economically feasible. Outside users may be connected to the city water system upon a two-thirds affirmative vote of approval by the city council, it being the policy of the city that no outside users will be connected to city water.

1. Except for existing outside users the City will not provide new water service to unincorporated areas. However, the City of Scappoose will provide water service to all existing properties, including any further properties created by partition or subdivision processes for the properties associated with Parish, et al v. City of Scappoose, and Alexander et al v. City of Scappoose. Other properties directly abutting the Dutch Canyon Water Line Extension may also be provided water service, at the density permitted by Columbia County zoning as of November 3, 2003 for properties without municipal water service. Future zone changes within Columbia County allowing for greater density of properties via partition or subdivision processes do not merit the provision of water service from the City of Scappoose, nor do properties not abutting the Dutch Canyon Water Line Extension but equipped with a private or public easement across an abutting property qualify for water service.

2. Allow the construction of certain public facilities, including water lines, sanitary sewer lines and storm sewer lines outside the Urban

Growth Boundary when it is beneficial to the City from an engineering, or operational basis, and in regard to water

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line extension, in specific scenarios where such extension might provide the potential for recovery of required improvement costs. However, the City will not allow any connections to these facilities except for health and safety reasons, and only when alternative solutions have been proven unviable. This provision does not restrict the ability of the City of Scappoose to contract with a water district or water association to provide water. However, the City of Scappoose will provide water service to all existing properties, including any further properties created by partition or subdivision processes for the properties associated with Parish, et al v. City of Scappoose, and Alexander et al v. City of Scappoose. Other properties directly abutting the Dutch Canyon Water Line Extension may also be provided water service, per the density provisions of underlying zones present within Columbia County as of November 3, 2003. Future zone changes within Columbia County allowing for greater density of properties via partition or subdivision processes do not merit the provision of water service from the City of Scappoose, nor do properties not abutting the Dutch Canyon Water Line Extension but equipped with a private or public easement across an abutting property qualify for water service.

3. Allow the extension of water services, but not sewer services, beyond the Urban Growth Boundary to any water district or water association that wishes to contract with the City for water, and to properties directly abutting the Dutch Canyon Water Line Extension, per the restrictions in Section 2, above.

C. Any person, firm or corporation installing water mains at their own expense shall first submit plans and specifications for such work to the city engineer for approval. After such plans and specifications have been approved by the city engineer, the work shall be done under the supervision of the city engineer, who shall require that such tests be made as may be considered necessary; and no water shall be admitted into such mains, except through an air-gap system or a double detector check assembly, until tests are accepted by the city engineer on behalf of the city.

D. Should the water department be hired to construct an extension to the water mains, before construction of such an extension to the water mains will be started, the property owners who signed the original agreement shall deposit with the city recorder-treasurer an amount equal to an estimate of cost of such construction. If the actual cost of construction is less than the estimate, the excess money collected shall be returned to the property owners on a prorated basis the same as was collected; and in

the event the costs exceed the moneys deposited, the balance shall be paid by the developer or persons hooked to the system prior to the city turning on the water in the newly installed system. (Ord. 739 §1, 2003; Ord. 724 § 1, 2002; Ord. 603 §1, 1993; Ord. 379 §2, 1978)

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13.04.030 Expiration of water hookups. A. All existing water hookups shall be utilized not later than June 30, 1990. Those water hookups shall expire on July 1, 1990 and the city shall repay the holders of such hookups the amount that was originally paid for the hookups.

B. All future acquired water hookups shall expire three years after the date purchased if not used, and the city shall refund the purchase price. (Ord. 530 §3, 1987; Ord. 379 §11, 1978)

13.04.040 Service pipes. A. All service pipe on either public or private property shall be laid on solid ground not less than thirty-six inches below the established grade of the street. Service pipe shall not be laid in the same trench with a sewer line. Service pipe shall be laid only in an approved trench as defined in the public works design standards or current building code of the city.

B. Service pipe and connections from the city mains to and including a stopcock and meter shall be placed by the water department within one foot of the property line, or where the main is in an alley, on the property line, and shall be installed and maintained by the city, and kept within its exclusive control.

C. From the water meter to a point inside the building, all service pipe shall be of galvanized pipe, copper or other materials approved by the building official, not less than three-fourths inch in diameter. The building official may require larger service pipe and fittings for large buildings.

D. Service pipes must be so arranged that the supply to each house or premise may be controlled by the stopcock.

E. All service pipe and all water piping in or on all premises shall be installed by a plumber. No person shall interfere in any way with fixtures installed by the water department and shall not turn water on or off at the service cock except for the purpose of testing their work, in which case the service cock shall be left in the same condition and position it is found. Any plumber called upon to shut off water and drain pipes in any premises shall do so inside the building only, except as above provided.

F. Before any connection is made to any water main, application for a permit must be made in writing by the owner of the premises to be served, or by his authorized representative at the public works office. Such application shall be made on a form provided by the public works department, and shall contain such information as the city may require.

G. At the time a permit is issued, a deposit shall be made estimated to be sufficient to cover the costs of any street repairs made necessary by the installation of the water connection. The public works department shall refund any amounts deposited in excess of such street repair costs.

H. A contractor or other person or persons must apply to the public works department for water for building purposes and water shall be furnished to such contractor or persons at the rates then in effect for service. (Ord. 724 §1, 2002: Ord. 379 §3, 1978)

13.04.050 Meters. A. The public works department may, at any time, install meters to the services of such places as it may deem advisable and may charge for the quantity of water measured at meter rates, provided that the charge shall not be less than the minimum for the type of premise metered.

B. The occupant or owner shall be charged SDCs and installation at the current rate set by ordinance or resolution. Upon installation, all meters shall remain the property of the city and may be removed by the public works department in accordance with the provisions of this chapter.

C. For ordinary metered consumption of water, a three-fourths inch meter will be furnished. Where application for a meter connection larger than three-fourths inch is made, the SDC and rate charges shall be at the current rate set by ordinance or resolution.

D. Meters shall be placed in an accessible location and set in a manner satisfactory to the field services supervisor. Meters may be installed in a meter pit at or near the property line, which pit shall be located and constructed, at the owner's expense, as directed by the field services supervisor and to his satisfaction.

E. The owner of the premises where a meter and its enclosing structure is installed will be held responsible for its care and protection from freezing and from injury

or interference by any person or persons. In case of injury to the meter, or in case of its stoppage or imperfect operation, the owner of the premises shall give immediate notice to the water department. All water furnished by the

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city must pass through the meter. No bypass or connection around the meter shall be permitted. If any meter becomes defective, or fails to register, the consumer will be charged at the average monthly consumption rate as shown by the meter over the period of the preceding three months when the meter was accurately registering. The owner shall be solely responsible for damage or injury to persons or property in the event the meter or its enclosing structure shall become damaged or otherwise a hazard to third persons or property. It shall be owners' responsibility to repair or correct a meter installation which becomes hazardous.

F. The accuracy of the meter on any premises will be tested by the water department upon written request of the owner or occupant, who shall pay in advance a fee, set by resolution or ordinance, to cover the cost of the test. If, on such test, the meter shall be found to register over ten percent error, another meter will be substituted therefor, the fee will be refunded to the owner, and the water bill may be adjusted in such manner as may be fair and proper.

G. All new services installed shall include a water meter.

H. After the meters are installed for the use of premises, it is unlawful for any householder or any other user of water supplied by the water department to cause or permit water to run or be discharged through pipes or faucets in any house, building or premise owned, controlled or operated by such householder or other water consumer, except water obtained through said meter. Any premises, lot, building, or structure where water derived from any other source other than a public water main (such as a well, cistern, rain barrel, pond, etc.) shall have a backflow prevention device installed at the meter to prevent any possible backflow into the public water system. Purchase, installation, and testing of such a device shall be at the expense of the property owner. (See also Section 13.04.110, Cross-connection control and backflow prevention.)

I. It is unlawful for any person to cut, alter, change, remove, disconnect or in any manner interfere, meddle or tamper with any pipes or meter in such a manner as to prevent said meter registering all water used upon said premises.

J. Upon failure of any water user to comply with the rules and

regulations establishing use of water meters, or otherwise, or to pay water rates or installation charges, the water may be shut off to the offending premises and remain so shut off until all fines, penalties and service charges are paid. (Ord. 724 §1, 2002: Ord. 430 §1, 1981: Ord. 400 §1, 1980: Ord. 379 §4, 1978)

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13.04.060 Use of water. A. When new service pipes are put into any premises, the service cock shall be left closed and will thereafter be opened only by an authorized employee of the water department and only upon the request of the owner or his agent; provided, however, that a plumber may open and close a service cock to test his work, as provided in Section 13.04.040(E).

B. In case a permit is issued as provided in Section 13.04.040(F) and a water meter has been installed for the temporary use of water, the owner shall notify the water department upon the completion of his work so that the water meters may be read and the connection shut off.

C. Where a building originally constructed as a single unit and fitted with one service pipe is thereafter subdivided, or when a parcel of property is so subdivided, by sale or otherwise, each parcel or premise as created must obtain a separate service pipe within thirty days or upon occupancy after such division; provided, however, one service may be permitted in the case of a fee simple tax lot containing multi-family dwellings, residential courts, combined office or business building, manufactured home parks, or trailer courts.

D. No person shall take or use city water from premises other than his own, and no person shall sell or give away water from his own premises for any purpose. No connection through which water may pass from one property to another shall be constructed, though the ownership of both properties may be the same.

E. Where the water has been turned off by the water department for any reason, no person or persons, except authorized employees or agents of the department, may turn it on again. Whenever this rule is violated, a penalty of three times the then-minimum monthly water charge shall be assessed and paid before service is restored. Each time the user turns on the water after being shut off by the department shall be deemed a separate violation and subject to the above penalty. Such penalty is in addition to any other penalty provided by law.

F. No steam boiler or hot water heater shall be directly connected to the service pipe. The owner shall make such provisions, including safety valves, as may be required by the State of Oregon Uniform Plumbing Code and the building official before the water may be supplied to such an

installation.

G. The water superintendent, field services supervisor, building official or any of their authorized agents shall have free access at all reasonable hours to inspect any premises supplied with water. No person shall refuse to

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admit authorized agents of the public works department to any premises for such purpose. In case any authorized employee is refused admittance, or is, in any way, hindered in making the necessary inspection or examination, the water may be turned off from such premises after giving twenty-four hours' notice to the owner or occupant thereof.

H. Where pipes are provided for fire protection on any premise or where hose connections for fire apparatus are provided, each such connection or opening of the service pipes shall have not less than twenty-five feet of fire hose constantly attached thereto and no water shall be taken through such opening or hose for any purpose other than for extinguishing fires, except for the purpose of testing such fire equipment. No such test of fire equipment may be conducted except by the fire department, unless a special permit is first secured from the public works department.

I. Fire hydrants may be opened and used only by the water and fire departments of the city or by such persons as may be specifically authorized by the water department. No person, firm or corporation shall in any manner obstruct or prevent free access to any fire hydrant by placing or storing temporarily or otherwise any object or material of any kind within ten feet of the same.

J. Water supplied through either water department or authorized private mains to consumers outside the corporate limits of the city shall be guaranteed on a day-to-day basis only. Such supply may be discontinued upon three days' notice. Any rates paid in advance or for unused water shall be equitably refunded in case the water supply is discontinued.

K. Where water service pressure exceeds levels permitted under the Oregon Plumbing Code, property owners shall install and maintain pressure reducing valves meeting the requirements of the Oregon State Plumbing Code. (Ord. 748 §1, 2004; Ord. 724 §1, 2002; Ord. 379 §5, 1978)

13.04.070 Water rates. A. Establishment of Credit. At the time application for service is made, the applicant shall establish credit with the water department. The credit of the applicant will be deemed established:

1. If the applicant makes a cash deposit with the water department

to secure payment of bills for service;

2. If the applicant has previously had water service in the city and the bills rendered for that service during the last twelve months it was provided were paid promptly, without additional collection efforts being required.

B. Deposits.

1. At the time the deposit is given to the water department, the applicant will be given a receipt for the deposit. The deposit is not to be considered as a payment on account. In the event the service is discontinued, the

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deposit will be applied to the closing bill and any amount in excess will be refunded. The water department will not pay interest on any deposit;

2. The deposit or balance of deposit shall be refunded to applicant when water service to applicant is terminated;

3. At any time a customer becomes delinquent and his water is shut off for that reason, customer shall permanently reestablish his credit per subsection A of this section prior to resumption of water service after all delinquencies and penalties have been paid.

C. Deposit Refunds. Deposits will be refunded after twelve months without delinquent payments. The refund will be returned to the depositor on the anniversary date of the deposit following the twelve-month prompt payment period defined in subsection (A)(2) of this section. At any time a customer becomes delinquent and his water is shut off for that reason, customer shall reestablish his credit per subsection A of this section prior to resumption of water service after all delinquencies and penalties have been paid.

D. Special Assessments. No provisions in this chapter shall be deemed to prevent city from collecting a special assessment against the property. All unpaid water bills, penalties and charges are declared to be a lien against the real property served and the lien shall be enforced and collected in accordance with the procedures for collecting any city assessments as are set forth in city ordinances or the statutes of the state then in effect for the enforcement and collection of city assessment liens.

E. Unclaimed Deposits. Any deposit shall be deemed security for the payment of any water charge of the depositor. In the event service is terminated, then the deposit or the balance thereof, after application to any unpaid water bill, shall be returned. Within sixty days after service is terminated for reasons other than a turn-off as a result of a delinquent bill and deposit has not been claimed, notice of deposit will be mailed to the depositor. In the event that the notice is returned after being addressed to the last known address, the city shall transfer the remaining balance to the water fund within sixty days.

F. Temporary Vacancies. In the case of temporary vacancy of any premises, water will be turned off at the service cock by the department upon written request of the owner of the premises addressed to the water department, and will be turned on again when requested. The minimum charge shall be made for any period in which such vacancy occurs.

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G. Interest on Unpaid Bills. Interest at the rate of one percent per month per annum shall be added to all delinquent water bills in excess of five hundred dollars, beginning the thirty-second day after the bill is due and payable. This also applies to water bills for customers where the city is unable for legal or health reasons to terminate the water service. (Ord. 724 §1, 2002; Ord. 603 §2, 1993; Ord. 593 §2(part), 1993; Ord. 532 §1, 1987; Ord. 508 §1, 1986; Ord. 483 §7(B), 1984; Ord. 472 §§1,2, 1983; Ord. 379 §6, 1978)

13.04.080 Notification of shutoff. Should it become necessary to shut off the water from any section of the city because of any accident or for the purpose of making repairs or extensions, the water department will endeavor to give timely notice to the consumers affected thereby and will, so far as practical, use its best efforts to prevent inconvenience and damage arising from any such causes; but the failure to give such notice shall not render the city responsible or liable in damages for any inconvenience, injury, or loss which may result therefrom. (Ord. 724 §1, 2002; Ord. 379 §7 (part), 1978)

13.04.090 Compliance with other regulations. All rules, regulations, and requirements of the State Board of Health, of the State of Oregon State Plumbing Code and the United States Environmental Protection Agency shall apply to the water department of the city. (Ord. 379 §7 (part), 1978)

13.04.100 Obstruction or contamination of water supply system unlawful. It is unlawful for any person to do any act, or to throw, place, or deposit any article or substance in or near the city water supply system, whereby the water therein may be obstructed or rendered impure. (Ord. 379 §7(part), 1978)

13.04.110 Cross-connection control and backflow prevention.
A. It is unlawful for the owner of property or the user of city water to introduce or permit the introduction of pollution or contamination of any kind into the city water supply system. Whenever cross-connection to other water supply into the city system is

found, or whenever any other condition is found which presents the possibility of contamination or pollution, the water supply to such premises and/or other premises from which cross-connection is made shall be discontinued immediately until the cross-connection is eliminated or the condition remedied. The control or elimination of cross-connections shall be in accordance with any manuals of standard practice

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pertaining to cross-connection control approved by the city engineer, and any requirements set forth by the U.S. Environmental Protection Agency as authorized by the Safe Drinking Water Act Pub. L. 93-523 and subsequent applicable legislation.

B. The water department shall require a backflow prevention device of pattern, design, and size which it approves as reasonably adequate to prevent contamination, if the water department determines that a complete physical separation from the city water system is not practicable or necessary, or that adequate inspection for cross-connection cannot readily be made, or that such backflow prevention device is necessary because of existing or possible backflow resulting from special conditions, use or equipment. The department shall also regulate the location, installation, and testing of such device.

C. Any corrective measure, disconnection or change on private property shall be at the sole expense of the person in control of such property. The cost of any change required in the city system outside the property or between the meter and the supply line or distribution system and any charges for cut-off or disconnection shall be added to the charges for water against the premises necessitating the expenditure. (Ord. 724 §1, 2002: Ord. 399, 1980)

13.04.120 Violation--Penalty. Each person convicted of a violation of this chapter shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars, or imprisonment in the county jail for not more than thirty days. (Ord. 379 §10, 1978)

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