

ORDINANCE NO. 509-1994

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, REGARDING WITHDRAWING WATER FROM THE CITY'S MUNICIPAL WATER SYSTEM, PROHIBITING PIPING WATER ONTO LANDS OF ANOTHER, INSTALLING WATER METERING DEVICES AND WATER SERVICE LINES, PROHIBITING ATTACHING A MOBILE HOME TO CERTAIN WATER METERING DEVICES, FIXING AND ESTABLISHING CHARGES FOR LINE TAPPING AND METER INSTALLATION, PROHIBITING TAMPERING WITH OR DAMAGING THE WATER SYSTEM AND ESTABLISHING PENALTIES FOR VIOLATIONS.

WHEREAS, the City of Dry Ridge maintains and operates a municipal water system providing sanitary water to customers within the city's limits and services necessary to insure the integrity of the water system and the quality of water provided, consumed or withdrawn therefrom; and

WHEREAS, in order to achieve the aforesated purposes, the City of Dry Ridge is hereby required to establish regulations concerning the delivery of water to and system tap-ons by customers together with establishing costs and charges for work performed and materials provided by the city to make line taps, install metering devices or perform other work on the water system for customers, or for the city's inspection and supervision of all water system work performed other than by the city's personnel/agents for customers and to prohibit the damaging of, tampering with or performing unauthorized work on the water system, making unauthorized use of or withdrawal of water from the system and establishing penalties and sanctions for such violations or committing prohibited acts.

NOW, THEREFORE, BE IT ORDAINED by the City of Dry Ridge as follows:

SECTION ONE

From and after the effective date hereof:

(A) No person shall be permitted to tap into the water mains of the City of Dry Ridge for the purpose of withdrawing water therefrom for use in any residence, commercial or business or industrial building/premises which is located outside of the incorporated limits of the City of Dry Ridge.

(B) No person, firm, company, corporation, business enterprise, entity or prospective customer shall be permitted to obtain water services from the City of Dry Ridge, Kentucky, without first having the entire boundary circumscribing such prospective customer's real estate and real property annexed to and into the incorporated limits of the City of Dry Ridge, Kentucky, pursuant to statute and all requirements of law concerning such annexation.

## SECTION TWO

No person, firm, company, corporation, business enterprise or entity shall withdraw water from the water mains and lines of the City of Dry Ridge, tap into the water mains and lines of the City of Dry Ridge, or cause or have performed any manner of work on the water mains, water lines or portions of the city's water system without first applying to the City of Dry Ridge, Kentucky, for written permission to withdraw water from the said water mains and lines, to tap into the said water mains and lines, or to cause or have performed any manner of work on the water mains, water lines or any portions of the city's water system and, thereafter, paying the applicable costs and charges due the City of Dry Ridge, Kentucky, to so withdraw water, tap into the city's water mains and lines or to cause or have performed any manner of work on the water mains, water lines or any portions of the city's water system.

## SECTION THREE

The costs and charges payable to the City of Dry Ridge, Kentucky, to have the City of Dry Ridge's personnel/agents to make a tap into the city's water mains and lines and install an appropriate water metering device are so fixed, set and established as follows:

(A) The sum and amount of **Five Hundred Dollars (\$500.00)** to make a tap and install the appropriate water metering device for a bore diameter of five-eighths (5/8ths) to one (1) inch plus all such costs and charges extraordinary as may be incurred by the City of Dry Ridge to so make and effect the requested tap and install the required water metering device.

(B) To effect a tap having a bore diameter of greater than one (1) inch and install the appropriate water metering device for a bore diameter of greater than one (1) inch, shall be that cost and amount as determined or estimated by the City of Dry Ridge to effect the tap and install the water metering device/unit, all duly set forth within a written agreement containing therein a provision and covenant regarding extraordinary expenses and costs which may be incurred by the city to effect the tap and install the appropriate water metering device/unit which written agreement is to be duly executed and delivered by the City of Dry Ridge and the city's customer, and with such cost and charge being not less than the sum and amount of **Five Hundred Dollars (\$500.00)**.

(C) All costs and charges hereinabove so set, fixed and established as a 'minimum' or 'estimated' to effect a tap and install a water metering device/unit, shall be paid by the customer/owner of the property or premises to the City of Dry Ridge prior to the city's beginning performance of work and providing materials. Extraordinary costs and expenses incurred, shall be payable by the customer/owner of the property or premises immediately to the City of Dry Ridge upon receipt of the notice of such additional costs and charges forwarded or tendered by the city to the customer/owner.

#### SECTION FOUR

Should the costs and charges provided for in Section Three above be not paid by the customer/owner of the property or premises to the City of Dry Ridge, then in such event, the City of Dry Ridge, shall (a) be permitted and allowed not to provide, discontinue or terminate, without notice, water services to the property or premises until such time as all costs and charges are paid; and (b) have a claim and lien upon and against the property and premises and against the owner of the property or premises and against the customer for the costs and expenses, with interest, incurred to effect a tap and to install a water metering device/unit, all enforceable by legal action appropriate.

#### SECTION FIVE

(A) Any customer, person, firm, company, corporation, business enterprise or entity desiring to effect a "private" tap into the city's water mains or lines, install a water metering device/unit or have performed any manner of work on the water mains, water lines or any portions of the city's water system, shall (1) make written application to the City of Dry Ridge for permission to effect such "private" tap or work; (2) receive such written permission and have issued any licenses required; (3) submit a complete set of scaled plans and specifications for the work to be performed, a materials list and the names, addresses and telephone numbers of the applicant's contractors and mechanics engaged to perform work or services; and (4) pay unto the City of Dry Ridge the fees, costs and charges hereinafter established and set forth necessary for the city to inspect and supervise any and all such "private" work.

(B) The fees, costs and charges payable to the City of Dry Ridge for the city's required inspection and supervision of the "private" work referred to above, shall be that sum and amount as determined or estimated by the City of Dry Ridge to reasonably compensate the city for the time and expenses incurred to inspect and supervise the applicant's work, all to be duly set forth within a written agreement containing therein provisions and covenants as to a sum and amount 'certain' or 'open', as the case may be, depending upon the size and scope of the work or project and which written agreement is to be duly executed and delivered by the City of Dry Ridge and the city's customer and the owner of the property and premises whereupon such work is to be provided or performed. All written agreements shall provide therein for a cost or charge 'minimum' payable by the customer/owner to the city.

(C) The customer/owner shall pay the City of Dry Ridge the costs or charges 'minimum' or 'certain' stated within the written agreement at the time of execution and delivery of same. Any 'estimated' costs or charges, shall be payable by the customer/owner to the City of Dry Ridge upon completion of the work/project and tender of the city's final bill or statement for costs and services. If such costs and charges be not paid, then the City of Dry Ridge, shall have the claim, lien and remedies against property and persons provided for in Section Four above.

## SECTION SIX

(A) No customer, person, firm, company, corporation, business enterprise or entity shall permit any house trailer or mobile home unit to be attached to the same water meter or the same water lines as are utilized by any other building or structure residential, commercial or industrial, or another existing house trailer or mobile home unit.

(B) All house trailers or mobile home units shall be required to be serviced by separate water lines providing water thereto and have a separate water meter to measure the consumption and use of water provided.

## SECTION SEVEN

All property or premises provided or receiving municipal water services shall be required to have separate water mains/lines for each structure or building located upon the property and shall be required to have a separate water meter or water metering device or metering system on each water line providing water to a building or structure to more accurately measure water provided and consumed. Such water meters, water metering devices or water metering systems shall be located and situated at sites and places upon the property or premises as determined and directed by the City of Dry Ridge.

## SECTION EIGHT

No customer, person, firm, company, corporation, business enterprise or entity shall cause or permit any water drawn from the water mains and lines of the city to be piped or otherwise directed onto the lands of another for consumption, use or any purposes whatsoever whether the lands of another be within or without the corporate limits of the City of Dry Ridge.

## SECTION NINE

(A) No person, firm, company, corporation, business enterprise or entity shall, without first obtaining the prior written consent and approval of the Mayor of the City of Dry Ridge, Kentucky, or his/her designee, open any fire hydrant of the municipal water system, or remove any valve cover of the municipal water system, or open any control device of the municipal water system. (This provision shall not apply to the officers, agents or employees of the City of Dry Ridge, Kentucky, whether paid or volunteer, in the performance of their respective duties.)

(B) No customer, person, firm, company, corporation, business enterprise or entity shall:

(1) Disconnect, disengage, by-pass or tamper with a water meter, water metering device, water metering unit or water metering system.

(2) Cause, directly or indirectly, any opening to be made into any water main or water line of the municipal water system.

(3) Make any unauthorized withdrawals or uses of water from the municipal water system.

(4) Cause, permit or allow any water drawn from the water mains or lines of the municipal water system to be piped or otherwise directed onto the lands of another for consumption, use or any purposes whatsoever.

(5) Cause, permit or allow any water meter, water metering device, water metering unit, water metering system or water service line duly and officially disconnected or disengaged by the City of Dry Ridge to be reconnected, engaged or energized so as to continue water service.

(6) Cause, permit, allow or have performed any unauthorized work or services provided to the municipal water system or have installed any water metering device, components or appurtenances not authorized and approved by the City of Dry Ridge.

(7) Intentionally, willfully, or through act of negligence gross, do, commit, perform, permit, allow, engage in or encourage any act which may, will or does cause proximately any manner or degree of injury or damage to the municipal water system or any of its parts, components, appurtenances or to the operation of such municipal water system.

(8) Cover any meter jar cover, valve cover, or control device of the municipal water system with dirt, gravel, or any other materials or matter of any kind or nature.

#### SECTION TEN

Any customer, person, firm, company, corporation, business enterprise or entity violation any provisions of this Ordinance shall:

(A) Have water service, without notice, immediately terminated.

(B) Be subject to actions and litigation for relief and redress of damages for injury or loss and expenses occasioned by such violation.

(C) Be subject to criminal action and prosecution and upon conviction for each violation separate, be fined not less than \$25.00 nor more than \$500.00; confined in the place of appropriate detention for not less than ten (10) days nor more than six (6) months; or both fine and confinement.

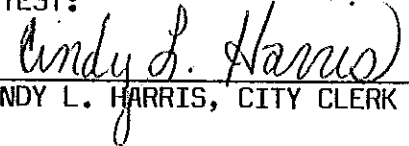
First Reading: March 7, 1994

Second Reading: April 4, 1994

PASSED, APPROVED, ORDAINED and ORDERED PUBLISHED THIS THE 4th DAY  
OF April, 1994.

  
\_\_\_\_\_  
NORMAN FERGUSON, MAYOR

ATTEST:

  
\_\_\_\_\_  
CINDY L. HARRIS, CITY CLERK