

**PETERSBURG BOROUGH
ORDINANCE #2018-06**

**AN ORDINANCE AMENDING CHAPTER 14.04 OF THE MUNICIPAL CODE, ENTITLED
“WATER”, TO AMEND THE TITLE TO “WATER UTILITY”, TO PROVIDE FOR A UTILITY
DIRECTOR AS HEAD OF THE WATER UTILITY DEPARTMENT, AND TO ESTABLISH
FINES FOR VIOLATIONS OF PROVISIONS OF CHAPTER 14.04**

Whereas, the borough assembly has directed the borough manager to reduce the number of borough employees through attrition, when possible, to reduce payroll expenses in these lean financial times; and

Whereas, current municipal code provides for the public works director to be the head of the water utility; and

Whereas, with the retirement of the borough’s electric superintendent in 2017, the borough manager has proposed a restructuring plan in which a utility director would be the head of the electric, water and sewer utilities; the public works director would be the head of the public works streets and roads division, motor pool, and the sanitation utility, and the assistant public works director position would be eliminated to reduce payroll expenses; and

Whereas, to effectuate the restructuring plan, amendments to a number of Borough Code ordinances will be required, including this Chapter 14.04.

Therefore, the Petersburg Borough Ordains, Chapter 14.04, Water, is hereby amended to title the chapter “Water Utility”, and to provide for a utility director as head of the water utility department.

Section 1. Classification: This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to amend the title of the chapter to “Water Utility”, and to provide for a utility director as head of the water utility department.

Section 3. Substantive Provisions: Chapter 14.04 of the Petersburg Borough Municipal Code is adopted as amended (ordinance language proposed for deletion is struck through, and ordinance language proposed for addition is in colored text) and shall read as follows:

Chapter 14.04 - WATER UTILITY

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14.04.005 - Definitions.

The following words, terms and phrases, when used in this title and in the administrative procedures associated with this title, shall have the meanings ascribed to them except where the context clearly indicates a different meaning:

"Account deposit" means a monetary charge collected from a customer at the time application for utility service is applied for. An account deposit is collected to help protect the water utility against losses incurred by nonpayment of service.

"Administrative procedure" means a written document containing directions on process, approved by the Borough manager, for use by Borough staff to assure the best interests of the general public and

Borough are served while treating all individuals equally and fairly while carrying out the provisions of this title.

"Application for service" means a form provided by the finance department to all customers desiring municipal utilities. The form requires information on the type of utility service requested and the property owner's prior history of utility service payment.

"Backflow prevention device" means a protective in-line device that allows water to flow in only one direction. It prevents contamination of the water distribution system if system pressures drop and a contamination risk is present.

"Borough building official" means the Borough's community development director, ~~or the director's designee.~~

"Commodity charge" means a charge for water used from the municipal water system. The commodity charge is based on the amount of water that passes through a customer's meter. A commodity charge is a separate and additional charge from a monthly service fee.

"Connect fee" also referred to as a "reconnect fee," means a monetary charge to restore an existing service. The fee is charged when service is restored at the property owner's request to a premise where the utility account is in good standing or when service is restored to premises where service was previously disconnected for nonpayment of service and the outstanding balance has been paid. The charge must be paid in addition to delinquent account balances and penalties.

"Control valve" means a customer installed valve that is located at the outlet of the water meter for the purposes of controlling the flow of water to a unit served with municipal water. Closing of this valve does not constitute disconnection of service.

"Curb stop" means a ~~city~~Borough-owned water valve that controls water flow to a premises and is usually located at the property owner's property line.

"Current account" means a utility account that is not past due.

"Customer" means a property owner of real property served by the municipal water supply or a property owner's tenants, employees, agents, managers and contractors.

"Delinquency notice" means a written form issued by the ~~city~~Borough informing a property owner their utility account is delinquent and services are subject to disconnect if not promptly paid in full.

"Delinquent account" means a utility account not paid in full by the end of the following billing cycle.

"Due date" means the last day a utility account can be paid without interest being assessed.

"Monthly service fee" means the minimum monthly flat rate charged for water service and is based on the size of meter installed on a premises. The service charge is an additional and separate charge from a commodity charge.

"New service fee" means a monetary charge for any new service being connected to the water system where service has not previously physically existed or when the size of an existing service requires change. The fee covers the costs of administration, inspection, meter, meter fittings and meter installation. A connect fee will not be required upon payment of the new service fee.

"Past due account" means an account not paid in full on or before the billing due date and is subject to ~~accrual penalty in the form of~~ added interest.

"Property owner" means the owner of real property served by the municipal water supply. Property owner may include the property owner's tenants, employees, agents, managers and contractors.

~~"Public works director" means the director of public works or the director's designee.~~

"Service line" means a water pipe that extends from a water main to a residential, commercial or industrial unit for the purpose of delivering water for uses other than fire protection.

"Service location" means the physical street address where the customer is being served by the water utility.

"Shall" or "will" is mandatory; "may" is permissive.

"Standby fire protection service" means a water service connection that provides for fire extinguishing only.

"Transfer fee" means a fee to establish a new account in a property owner's name where an active service exists. The fee is also assessed when a property owner moves from one active service location to another active service location and there is no need for [cityBorough](#) personnel to disconnect or reconnect the water supply. When two locations are involved, only one transfer fee for both water services shall be billed to the customer and the fee billed to the new service. The new service may be subject to a new account deposit.

"Utility Director" means the head of the water utility department, or the director's designee.

"Utility extension" means an extension of a water main for the purpose of delivering water to land areas not previously served by municipal water. An extension of an individual service line is not considered a utility extension.

"Utility permit" means written authorization obtained from the [cityBorough](#) building official and the Utility Director, as part of the building permitting process, prior to installation of any new municipal utility to an individual premises. A utility permit is not an application for utility service.

"Water main" means a large diameter water transmission pipe located in [cityBorough](#)-owned rights-of-way or properly dedicated easements.

"Water meter seal" means a tamper-proof copper wire with a lead sealing element that can be affixed to a water meter valve to ensure that no one other than authorized [cityBorough](#) personnel operate the valve.

"Water station permit" means a permit that allows a customer to operate a specific [cityBorough](#)-owned valve or hydrant for the purposes of purchasing water from the system.

14.04.010 - Delivery of supply.

The [cityBorough](#) will exercise reasonable diligence and care to deliver a continuous and sufficient supply of municipal water to all users at a proper pressure and to avoid any shortage or interruption in delivery. The [cityBorough](#) will exercise reasonable diligence to supply safe and potable water at all times.

14.04.020 - Ownership of system and equipment—Service and maintenance.

- A. All water mains, valves, fittings, hydrants, meters and other equipment and appurtenances, except individual customer service lines that bring the municipal water supply from the property line to a structure, shall be the property of the [cityBorough](#). The [cityBorough](#) will not pay rent or any other charges for meters or other water facilities, including housings and connections, located on private or public property.
- B. The [cityBorough](#) shall maintain the water system up to individual property lines and the maintenance shall be performed by authorized employees or agents of the [cityBorough](#).
- C. The location of meters and service lines shall be at the discretion and approval of the ~~public works~~director Utility Director.
- D. Individual property owners shall own, install and maintain service lines from property lines to structures. Leaking service lines, frozen lines and all other water supply problems located between the property line and the structure are the sole responsibility of the customer and/or property owner.
- E. Customers and/or property owners are responsible for properly locating service lines and establishing right-of-way boundaries, property lines, obtaining easements and state right-of-way permits, if necessary, for the installation of water mains and service lines.

14.04.030 - Liability for damage to [cityBorough](#) system or equipment.

A property owner and/or customer shall be liable for any damage to the [cityBorough](#) system or equipment which is caused by an act or omission of the property owner or customer, their tenants, visitors.

agents, employees, contractors, licensees or permittees. Damage to the system or equipment shall include but not be limited to breaking of seals and locks on meters, tampering with meters, injury to meters, including but not limited to damage by hot water or steam, and damage to meter boxes, remote counters, curb stops, meter stops and other service appurtenances.

14.04.035 - Call before you dig program.

The [cityBorough](#) requires adherence to the written [City of Petersburg Borough](#) Call Before You Dig Program, as may be amended from time to time in accordance with Alaska Statute Title 42 - Public Utilities and Carriers, for all excavation performed within the [cityBorough](#) limits and on public property or private property if in the vicinity of a public utility.

14.04.040 - [CityBorough](#) responsibility for [cityBorough](#) equipment—Right to operate unencumbered.

- A. [CityBorough](#) equipment on private property remains the property of the [cityBorough](#) and may be repaired, replaced or removed by [cityBorough](#) employees or agents at any time without consent of the property owner and/or customer.
- B. No payment will be made to the property owner and/or customer for the right to install, maintain, replace or remove [cityBorough](#) equipment, and the property owner and/or customer must in no way interfere with [cityBorough](#) equipment operation.
- C. The property owner and/or customer must keep dogs or other animals secured or confined to avoid interference with the utility operation and maintenance.

14.04.050 - Free access by [cityBorough](#) agents for inspection.

Employees or agents of the [cityBorough](#), under the direction of the ~~public works director~~ [Utility Director](#), shall have free access at all reasonable hours of the day to any and all parts of structures and premises in which water is or may be delivered for the purpose of inspecting connections, the conditions of conduits and fixtures, and the manner and extent to which the water is being or will be used. The [cityBorough](#) does not assume the duty of, nor the responsibility for, inspecting the property owner or customer's plumbing or equipment.

14.04.060 - [CityBorough](#) not liable for damage to property owner equipment.

The [cityBorough](#) shall not be liable for any loss or damage caused by any defect in a customer's service line, plumbing, equipment or damage due to interruption of service or temporary changes in pressure.

14.04.070 - Customer's responsibility.

A customer who receives service from the municipal supply shall be considered as expressing consent and agreement to all terms of use expressed in this chapter and is bound by the provisions of this chapter. Failure to abide by the provisions of this chapter may result in enforcement actions being taken against the customer.

14.04.080 - Waste.

- A. Where water is wastefully or negligently used, the [cityBorough](#) may disconnect service or take other enforcement action if conditions are not corrected after notice by the [cityBorough](#).
- B. ~~It is unlawful for any~~ No person is permitted to allow any water to run from any water tap or outlet unless the water is metered.

14.04.090 - Unauthorized turn-on.

Where water service has been discontinued for any reason, and the water is subsequently turned on by the property owner and/or customer or other unauthorized person, the [cityBorough](#) may then shut off the water at the main or remove the meter. Charges for disconnect shall be billed to the customer, and water shall not be restored to the customer at the same or different premises, until all charges are paid.

14.04.100 - Fraud or abuse.

The cityBorough will refuse or disconnect service to any premises where it is deemed necessary to protect the cityBorough from fraud or abuse. Disconnection of service for fraud or abuse will be made immediately, without notice, to the customer upon the cityBorough's knowledge of fraudulent or abusive conditions or activities. Disconnect charges shall be billed to the customer and water shall not be restored to the customer at the same or different premises until all charges have been paid and the cityBorough has reasonable assurance the violation will not recur.

14.04.110 - Unauthorized opening or closing of mains prohibited.

~~It is unlawful for any~~ No person, other than cityBorough employees, is permitted to turn on or off any municipal water mains or fire hydrants unless authorized to do so by the ~~public works director~~ Utility Director.

14.04.120 - Noncompliance with regulations.

Except for instances of fraud or abuse and other provisions of this chapter that may provide a shorter time, the cityBorough may, upon three days' notice, disconnect service to a premises for failure of the property owner and/or customer to comply with any of the provisions of this chapter.

14.04.130 - Unsafe facilities.

The cityBorough may refuse to furnish water and may immediately disconnect services to any premises where plumbing facilities, appliances or equipment using water are dangerous, unsafe or not in conformity with federal, state or local laws and regulations.

14.04.140 - Assurance of interim sewerage treatment by industrial or commercial applicants.

- A. All water connections for new or enlarged industrial or commercial water users require application to the ~~public works director~~ Utility Director.
- B. The application shall contain, or be accompanied by, evidence satisfactory to the ~~public works director~~ Utility Director that the industrial or commercial water user shall use interim sewage treatment facilities in compliance with government standards and acceptable to the U.S. Environmental Protection Agency in the event that the sewer service to the building, facility or land area is interrupted due to the applicant's water project.
- C. Upon the ~~public works director~~ Utility Director being satisfied with the application and the evidence of compliance with federal standards and acceptance by the U.S. Environmental Protection Agency, and that the new or enlarged use will not jeopardize the health, welfare and safety interests of the utility, an enlarged connection may be installed under the provisions of this chapter.

14.04.150 - Demand detrimental to others.

The cityBorough may refuse to furnish water and may reduce or disconnect service to any premises where excessive demand may result in inadequate service to others.

14.04.160 - CityBorough to determine priority of service—Superior rights of cityBorough residents.

In case of shortage of supply, the cityBorough reserves the right to give preference in furnishing cityBorough utility service to customers considering public convenience or necessity. Water service to persons or entities not connected to the water utility shall be subject to the prior and superior rights of the customers connected to the water system.

14.04.170 - Service outside municipality.

- A. The Borough Assembly may authorize the construction of water mains outside Service Area #1 or outside the municipal limits. Applications for construction must be made in writing to the Assemblycouncil by the person or persons interested in receiving service.

- B. Water mains constructed outside ~~the city~~Service Area 1 limits ~~or municipal boundaries~~ are subject to the provisions of Chapter 14.18.

14.04.180 - Sale of water from the municipal water system.

- A. ~~City~~Borough water may be available for the purpose of supplying potable water to residences, businesses or establishments not served by the municipal water system.
- B. Arrangements for the purchase of water shall be made with the ~~public works director~~ Utility Director, or his or her~~their~~ designee.
1. Persons/entities purchasing water, not for resale, shall obtain a water station permit and abide by the policies and regulations established by the ~~city~~Borough.
 2. Contractors purchasing water for resale shall obtain a water station permit; collect and remit sales tax in accordance with municipal law and abide by the policies and regulations established by the ~~city~~Borough.
- C. Property owners and/or customers that have chosen not to connect to the municipal water system and have a service connection available at their property line will not be eligible to purchase municipal water by means other than connection to the system and installation of a ~~city~~Borough water meter.

14.04.190 - Standby fire protection service connections.

- A. Preconditions. Standby fire protection service connections of two-inch size and larger will be installed only if the system prevents the use of water from the connection for purposes other than fire extinguishing. Sealed fire-sprinkler systems with water-operated alarms shall be considered as having such provisions. The ~~city~~Borough may require a suitable detector check meter (to which hose lines or hydrants are connected) be installed in the standby fire protection service connections.
- B. Charges for Service. Charges for standby fire protection service will be as stated in the published water rate schedule. 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. The property owner or customer shall pay the full cost of standby fire protection service connection, any required detector check meters, and any required special water meter installed solely for the service to the standby connection.
- C. ~~Violations of Regulations~~. If water is used from a standby pipe connection service in violation of these ~~provisions~~regulations, an estimate of the amount will be computed by the ~~city~~Borough in addition to other penalties that may be imposed. The customer shall pay for the water used at the regular rates, including the minimum charges based on the size of the service connection and subsequent bills rendered on the basis of the regular water rates.

14.04.200 - Fire protection service connections other than standby.

A service location having fire protection facilities on the premises and water for other purposes other than fire protection flowing through the same service connection shall be considered an ordinary service and shall be metered. All water used through that service, regardless of its use, will be charged at the regular rates.

14.04.210 - Fire hydrant operation.

No one other than those designated and authorized by the ~~city~~Borough shall open any fire hydrant belonging to the ~~city~~Borough, attempt to draw water from it, or damage or tamper with it. ~~Any violation of this regulation will be prosecuted according to law.~~ No tool other than special hydrant wrenches shall be used to operate a hydrant valve. In cases where a temporary service has been granted and water is received through a fire hydrant, an auxiliary external valve will be provided to control the flow of water.

14.04.220 - Installation costs for a new service.

- A. The property owner is responsible for all costs for installation of a new service line or fire line from the water main to the structure.
- B. Installation of a new service line from the structure to the property line may be performed by the property owner/customer, a property owner/customer's private contractor or by the ~~city's public works~~Borough's Utility public works department. Only public works department personnel or a licensed contractor qualified to install municipal water systems shall perform the installation of a new service line from the water main to the property line.
- C. All installations shall be made according to the Uniform Plumbing Code as adopted by the cityBorough in Section 17.02.005 of this code and the property owner shall obtain a utility permit ~~from the city building official~~ prior to installation.
- D. If the cityBorough is to install a new service line, the property owner/customer shall deposit with the cityBorough an amount, estimated by the ~~public works director~~ Utility Director, to cover the costs for installation from the water main to the structure, plus a new service fee. The deposit must be made before a connection permit will be issued. Any additional cost over the estimated amount shall be billed to the property owner and any excess from the estimated amount shall be returned to the property owner.
- E. If the property owner contracts with a private contractor to install a new service line, the installation shall be inspected by the cityBorough prior to connection and a new service connection fee paid in full prior to application for service.
- F. Upon completion of the installation, inspection and approval by the ~~public works director~~ Utility Director, the property owner/customer shall make an application for service.

14.04.230 - Extension policies.

All water system distribution extensions shall be governed by Chapter 14.18 of this title.

14.04.240 - Service to high elevations.

Where pumping is required to serve a premises at too high an elevation to be served by gravity, the cityBorough may, at its option, require the property owner/customer to provide a suitable pump as a condition of service. The installation shall be subject to approval by the ~~public works~~ Utility director and shall be installed and maintained at the expense of the property owner/customer.

14.04.250 - Unusual quantities.

- A. When an abnormally large quantity of water is desired for filling a swimming pool, log pond, or for other purposes, arrangements must be made with the ~~public works director~~ Utility Director prior to taking water.
- B. Permission to take water in unusual quantities will be given subject to availability at the discretion of the ~~public works director~~ Utility Director.
- C. Payment for the water will be in accordance with the schedule for water rates.

14.04.260 - Number of service connections limited by need.

The owner of a single parcel of property may apply for and receive as many services as required; provided, the application(s) meets the requirements of this chapter and the approval of the ~~public works director~~ Utility Director.

14.04.270 - Cross-connections.

No water service connection to any premises shall be installed or continued in use unless the water supply is protected by all necessary backflow prevention devices as required by the Uniform Plumbing Code as adopted by the cityBorough in Section 17.02.005 of this code. Backflow prevention devices shall be installed on any premises where, in the judgment of the ~~public works director~~ Utility Director, the nature and extent of the activities, or the materials used or stored on the premises, could present a hazard to the

water supply in the event a cross-connection were to be made. All costs for purchase and installation of the backflow prevention device will be paid by the property owner and/or customer.

14.04.280 - Joint service connections.

- A. The [cityBorough](#) may, at its option, serve two or more premises with one service connection. On new service connections, the inside diameter of such joint lines shall be sufficient to provide a carrying capacity not less than the combined capacity of individual service lines of the same size as the meters installed.
- B. Service extensions from an existing service to other occupancies or ownerships than that for which the existing service was intended shall not be permitted.

14.04.290 - Meters—Installation.

Water meters shall be installed only by authorized employees or agents of the [cityBorough](#) at a time convenient to the [cityBorough](#) in terms of water system improvements, construction and extension. Meters may be sealed by the [cityBorough](#) at the time of installation, and no seal shall be altered or broken except by authorized [cityBorough](#) employees or agents.

14.04.300 - Meter accuracy standard designated.

All meters will be tested prior to installation. No meter will be placed in service or allowed to remain in service which is known to have an error of registration in excess of five percent under normal operating conditions.

14.04.310 - Meter tests and bill adjustments due to inaccurate meter.

- A. If it appears a meter is not registering properly, the [cityBorough](#) shall test the meter and adjust the billing charges accordingly. No charge for meter testing will be made to the customer for the meter test when initiated by the [cityBorough](#).
- B. A customer may request their service meter be tested by giving not less than three days' notice to the [cityBorough](#). If the test reveals the meter is operating satisfactory or under-registering less than five percent, the customer will be billed for meter testing. If the test reveals the meter over-registers or under-registers by more than five percent, the customer will not be billed for testing.
- C. Customers may witness any meter tests.
- D. Bill Adjustment for Fast Meters. When a meter is tested and found to be registering more than five percent fast under normal operating conditions, the [cityBorough](#) shall refund to the customer the full amount of the overcharge, based on corrected meter readings.
- E. Bill Adjustment for Slow Meters. When a meter is tested and found to be registering more than five percent slow, the [cityBorough](#) may bill the customer for the amount of the undercharge, based upon corrected meter readings.
- F. Nonregistering Meters. The [cityBorough](#) will bill for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption 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 and under similar circumstances and conditions, or both.
- G. Bill adjustments made because of meter errors shall not normally exceed three consecutive billing periods. The [cityBorough](#) manager may authorize additional monthly bill adjustments if the manager determines circumstances merit further consideration.

14.04.320 - Meters—Size, type and location.

- A. The [cityBorough](#) reserves the right to determine the size, type and physical location of all meters.

- B. If a change in size of an existing service meter is required, the change will be accomplished on the basis of a new connection. Meters moved for the convenience of the customer will be relocated only at the customer's expense.

14.04.330 - Meters—Joint use prohibited.

The joining of several customers to take advantage of the single minimum charge and large-quantity rates shall be prohibited unless the ~~public works director~~ Utility Director approves the service as a multi-user premises.

14.04.340 - Meters—Control valves.

Customers shall install suitable control valves in their service line as close to the meter as possible. The control valve will control the entire water supply to the premises. It shall be a violation of this chapter for the customer to operate or cause unauthorized operation of the curb stop or any other cityBorough appurtenances on the service line.

14.04.350 - Notices.

- A. Notices from the cityBorough to the property owner will normally be given in writing and either mailed or delivered to the property owner/customer's last known address. Where conditions warrant and in emergencies, the cityBorough may notify either by telephone, email, or delivery or radio announcement messenger.
- B. Notices from property owners/customers to the cityBorough may be given by the property owner/customer, or authorized representative, orally or in writing, at the office of the cityBorough, or to an agent of the cityBorough authorized to receive notices or complaints.

14.04.360 - Application for utility service and associated fees.

- A. All property owners/customers desiring water service shall complete an application for utility service form provided by the finance department of the cityBorough, giving all information necessary to establish a utility account. The application for service form may include inquiries regarding the property owner's credit and ability to pay for services and such other information as the cityBorough may reasonably require.
- B. In signing the application, the property owner and/or customer agrees to abide by the provisions of this chapter.
- C. Types of Service Applications.
 - 1. Application for existing service/service off: Where water utility service already exists, but the service is turned off, and there are no outstanding municipal utility charges, the property owner/customer shall submit with the application a connect fee and applicable account deposit.
 - 2. Application for existing service/service on: Where water utility service already exists and the service is on, the property owner/customer shall submit with the application a transfer fee and applicable account deposit.
 - 3. Application for new service or change in service size: At the time a property owner/customer files an application for service where no service previously existed or if the property owner/customer is filing for a change in service size, the property owner shall submit with the application a new service fee and applicable account deposit.
 - a. The new service fee for structures in areas where the cityBorough has installed new water system extensions shall be waived for a period of six months. The six-month waiver period shall commence at the date of substantial completion of the installation as determined by the cityBorough. In all cases, installation of the service line from the property line to structures shall remain the responsibility of the property owner/customer.
- D. The property owner/customer shall be required to be on the premises when the water is turned on and shall be responsible for valves on the premises being turned off when the water service is turned on.

14.04.370 - Account deposits.

- A. Account deposits may be required from all customers who have not received any Petersburg municipal utility services for a period of nine months or more prior to application and from customers who are known to have been delinquent on prior Petersburg municipal utilities.
 - 1. Account deposits for new customers shall be equal to one month's service fee for the size of service required, if applicable.
 - 2. Account deposits for customers who have been delinquent, but not disconnected from any Petersburg municipal service or account, shall be equal to two months service fee for the size of service required.
 - 3. Account deposits for customers who have been delinquent and disconnected from any Petersburg municipal service on account for nonpayment shall be four times one month's service fee for the size of service required.
 - 4. Account deposits may be waived by the Finance Director for customers who have demonstrated timely payment for the most recent twelve-month period on all municipal utilities received, regardless if the municipal utility services were provided by the cityBorough of Petersburg.
- B. Account deposits are not to be considered payment on account until after twelve consecutive months of nondelinquent payment on all municipal utilities. After twelve consecutive months of nondelinquent payment the deposit shall be applied to the next utility bill.
- C. If a service is turned off for nonpayment, the deposit shall be applied to the unpaid balance due. Water service will not be restored to the customer at the same or different premises until all outstanding utility bills due the cityBorough have been paid, a new account deposit made and a connect fee paid.
- D. Administrative procedures, approved by the cityBorough manager, may be implemented to accommodate special circumstances or hardships.
- E. Account deposit rates shall be reviewed annually by the water utility and finance departments and a recommendation made to the cityBorough manager for the increase or decrease of deposit rates as needed for the sound financial management of the water utility. The cityBorough manager shall review the findings and present the recommendation to the Borough Assembly.

14.04.380 - Billing.

- A. Water billing is to be by meter regardless of type of premises, or numbers of residential or other units served.
- B. Meters will be read and accounts billed on the basis of the meter reading which is in increments of one hundred gallons for residential users and one thousand gallons for larger commercial and industrial users. Accounts shall be billed for both a monthly service charge and a commodity charge.
- C. Meters shall be read and bills shall be issued monthly. Opening or final bills, or bills that for any other reason cover a period containing ten percent more days or ten percent less days than in the normal billing period, shall be prorated.
- D. The cityBorough will keep an accurate account of all readings of meters which shall be considered prima facie evidence of the use of water service by a customer.

14.04.390 - Multi-user premises.

A single statement for multi-user facilities shall be mailed monthly to the owners or designated managers of apartment buildings, multifamily dwellings, boat harbor live-aboard vessels, and commercial and industrial structures. The owner of any building, premises, trailer court or vessel shall be liable for payment. The owner or designated manager or agent may subsequently apportion the charge between or among tenants or occupants, but the apportioned charges shall not be more than billed by the cityBorough. The cityBorough manager may enter into written agreements with property owners contrary to this section if the best interest of the cityBorough is served by issuing multiple bills to multi-user premises.

14.04.400 - Bills for more than one meter.

All meters or services supplying a premises shall normally be billed separately except that where the [City Borough](#) has installed two or more meters or services in place of one, the readings may be combined for billing.

14.04.410 - [City Borough](#) may combine with other utility bills.

- A. The [City Borough](#) reserves the right to combine the water utility billing with the monthly billing for other municipal utility services. The charges for the separate services shall be specifically identified on the utility bill.
- B. A customer's water service or other municipal utility service may be disconnected if any part of a municipal utility bill is not paid when delinquent.

14.04.420 - Water rate schedule and fees.

- A. Metered water rates shall be based on the size of service and shall be as follows:

Effective August 1, 2012

Service Size	Monthly Service Fee	Commodity Charge per 1,000 gallons
5/8 '	\$31.35	\$2.04
1	42.09	3.64
1½'	105.20	3.55
2	220.93	3.39
3	483.93	2.11
4	736.42	1.66
6	1,104.65	.92

Effective July 1, 2013—2% increase

Service Size	Monthly Service Fee	Commodity Charge per 1,000 gallons
5/8 '	\$31.98	\$2.08
1	42.93	3.71
1½'	107.31	3.62
2	225.35	3.45
3	493.61	2.15
4	751.15	1.69
6	1,126.74	.94

Effective July 1, 2014—2% increase

Service Size	Monthly Service Fee	Commodity Charge per 1,000 gallons
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5/8 '	\$32.62	\$2.12
1	43.79	3.78
1½'	109.45	3.69
2	229.86	3.52
3	503.48	2.20
4	766.17	1.72
6	1,149.28	.96

Effective July 1, 2015—2% increase

Service Size	Monthly Service Fee	Commodity Charge per 1,000 gallons
5/8 '	\$33.27	\$2.16
1	44.66	3.86
1½'	111.64	3.77
2	234.45	3.59
3	513.55	2.24
4	781.49	1.76
6	1,172.26	.98

Effective July 1, 2016—2% increase

Service Size	Monthly Service Fee	Commodity Charge per 1,000 gallons
5/8 '	\$33.94	\$2.21
1	45.55	3.94
1½'	113.87	3.84
2	239.14	3.67
3	523.82	2.29
4	797.12	1.79
6	1,195.71	1.00

Effective July 1, 2017—2% increase

Service Size	Monthly Service Fee	Commodity Charge per 1,000 gallons
5/8 '	\$34.62	\$2.25
1	46.47	4.01

1½'	116.15	3.92
2	243.93	3.74
3	534.30	2.33
4	813.07	1.83
6	1,219.62	1.02

Effective July 1, 2018—2% increase

Service Size	Monthly Service Fee	Commodity Charge per 1,000 gallons
5/8 '	\$35.31	\$2.30
1	47.39	4.10
1½'	118.48	4.00
2	248.81	3.81
3	544.98	2.38
4	829.33	1.87
6	1,244.02	1.04

B. Nonmetered water rate: five dollars per one thousand gallons.

C. Fees for water utility services and administration shall be as follows:

Connect fee:	Forty dollars during normal business hours for each premises served. Actual labor cost, plus fifteen percent after business hours.
Meter testing fee:	Actual labor cost when test is performed <u>performed</u> during normal business hours.
New service fee:	One hundred fifty dollars, plus the actual cost of the meter and fittings.
New service line installation:	Actual cost.
Shut-off due to unauthorized turn-on, fraud or abuse:	Actual cost to the cityBorough , plus fifteen percent.
Standby fire protection service:	No charge.
Transfer fee:	A. Twenty-five dollars, if the property owner only receives water service. The transfer fee covers the cost of name change and meter reading at two service locations and is billed to the new account. B. Fifty dollars, if the property owner receives additional cityBorough utilities. In the case of multiple cityBorough utilities, the transfer fee shall be divided and spread evenly between the utilities received and billed to the new account.

- D. ~~Penalty interest shall accrue on~~for past due accounts: maximum rate allowable by state law.
- E. Nonresident Outside Service Area 1 rates and fees: charges for all water services and fees for users outside ~~the municipal limits~~Service Area 1 shall be twice the ~~in-city~~Service Area 1 rate.
- F. Water rates and fees shall be reviewed annually by the water utility and finance departments and a recommendation made to the cityBorough manager for the increase or decrease of rates as needed for the sound financial management of the water utility. The cityBorough manager shall review the findings and present the recommendation to the Borough Assembly.

14.04.430 - Discount for low-income senior citizens.

The monthly service charge and commodity charge for the size of service received, shall be reduced fifty percent in instances where a senior citizen has signed an affidavit at the cityBorough finance office attesting they are the head of the household, are sixty-five years of age and all combined income for the household did not exceed twenty thousand dollars during the previous year.

14.04.435 - Refunds and rebates.

- A. Prior to taking action for any refund or rebate of unanticipated revenues, the Borough Assembly will seek a recommendation from the Utility and Finance Directors~~advisory board with oversight responsibilities for those funds~~. The ~~recommendation referral of the unanticipated funds to the appropriate boards~~ may be ~~sought~~initiated by the cityBorough manager and/or mayor in order to minimize the delay in any potential refund or rebate to the affected users. If ~~a board recommendations are not able to be timely received is unable to meet for a lack of quorum to address this issue at a regularly scheduled meeting for any reason~~, the refund or rebate may be taken up by the Borough Assembly by resolution without a recommendation ~~from a board~~.
- B. After the consideration of a recommendation ~~by a board~~ or the determination of ~~a boards~~an inability to timely receive a recommendation~~act~~, the Borough Assembly, by resolution, may refund or rebate any user fees or charges collected for service in any manner deemed appropriate and on an equal basis to the affected users. Refunds or rebates shall only be made when the utility receives unanticipated revenues from funding sources outside the utility's rate structure. Refunds or rebates may be used to postpone or lessen a planned rate increase only to the extent of the amount of the refund or rebate.

14.04.440 - Disputed bills.

Disputed bills shall be remedied by administrative procedure approved by the cityBorough manager.

14.04.450 - Delinquent accounts—Service disconnect.

- A. Amounts owed the cityBorough under this title shall be considered past due if not paid in full on or before the due date and delinquent if not paid in full by the end of the following billing cycle. Utilities may be disconnected if any part of any delinquent municipal utility bill is not paid.
- B. Past due accounts are subject to ~~the accrual penalty in the form of~~ interest on the unpaid balance at the maximum legal rate allowed by state law from the due date until paid.
- C. Delinquent accounts are subject to disconnect of service in addition to the accrual of interest ~~penalty~~.
- D. The cityBorough shall make reasonable efforts to notify customers of delinquent accounts prior to disconnect. However, failure of the property owner to receive notice does not waive any interest, fee, penalty or disconnection.
- E. Service turned off for delinquency shall not be restored until payment in full, including penalty interest and reconnect fee, is received by the cityBorough; or written arrangements acceptable to the cityBorough to bring the account current have been made.

If a service is turned off for nonpayment, the account deposit shall be applied to the unpaid balance due. Water service will not be restored to the customer at the same or different premises until all outstanding utility bills due the cityBorough have been paid and another account deposit made.

- F. The noticing and administration of delinquent accounts shall be by administrative procedure approved by the [cityBorough](#) manager.
- G. In cases of extreme hardship or special circumstances, the [cityBorough](#) manager shall have the discretion of renewing service to, or making payment arrangements with, a customer who has been disconnected from municipal utilities for nonpayment.
- H. If a landlord, or utility employee informs the utility administration of a vacancy or change in residency of a service location that is past due on their utility bill and the customer of record has not arranged for disconnect of services, the utility may be disconnected from the customer in order to limit amounts owed to the [cityBorough](#) by the customer. The landlord or new tenant shall transfer utilities into their name, and pay all applicable fees and deposits, in order to continue receiving services. This shall not apply to temporary caretaking of a residence while the utility customer is on vacation.

14.04.460 - Service turnoff at customer's request—Reconnect fee.

- A. Notice. Each customer planning to vacate any premises supplied with municipal water service shall give the [cityBorough](#) at least one-day written notice specifying the day service is to be disconnected. If one-day written notice is not given, the customer will be responsible for all water supplied to the premises until the [cityBorough](#) receives notice.
- B. Final Billing. At the time service is disconnected at the request of the customer, the meter will be read and a bill issued. The final bill is payable immediately. In no case will the bill be less than the proportionate share of the monthly minimum for the size of service.
- C. Reconnection of an existing service shall be subject to the applicable connecting fee.

14.04.470 - Administrative authority.

The [cityBorough](#) manager is authorized to establish and implement procedures for the daily administration and collection of revenues of the water utility and to address unusual circumstances that may arise.

14.04.480 - ~~Penalties for v~~Violations.

- A. ~~A person who violates a provision of this chapter (except for failing to pay fees for services when due) shall be guilty of a violation as expressed in section 1.16.010 of the borough code, and subject to a fine as provided in section 1.16.030 of the borough code. The person is also liable for all costs and expenses incurred by the borough in the cleanup and remedy of any violation, and administrative costs and attorney fees incurred by the borough as a result of the violation.~~
- ~~BA. The rate of Penalty in the form of added~~ interest for past due and delinquent accounts shall be the maximum legal rate allowed by state law from the date due until paid.
- ~~B. Violations of this chapter, other than past due and delinquent accounts, shall be a misdemeanor punishable by a fine not to exceed one thousand dollars and imprisonment for not more than thirty days.~~

Section 4. Fine Amounts: The following fine amounts are adopted for violations of Chapter 14.04 of the Borough Code, and shall be administratively incorporated into section 1.16.030 of the Borough Code:

<u>Section(s)</u>	<u>Description of Violation</u>	<u>Fine Amount</u>
14.04.080	Use of unmetered water	\$250
14.04.090	Unauthorized turn-on of service	\$250
14.04.110	Unauthorized turn-on or turn-off of municipal water mains and hydrants	\$250

14.04.340 Unauthorized operation of curb stop \$250
 Or any other municipal appurtenance

A future modification in a fine amount set out in this section shall be by amendment to section 1.16.030.

Section 5. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 6. Effective Date: This Ordinance shall become effective immediately upon final passage.

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Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this _____ day
of _____, 2018.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Noticed:
Effective: