

ORDINANCE NO. 276

AN ORDINANCE AMENDING CHAPTER 3 ARTICLE 1 OF THE
GOTHENBURG MUNICIPAL CODE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF GOTHENBURG, NEBRASKA, AS FOLLOWS:

Section 1. A copy of Chapter 3 Article 1 of the Gothenburg Municipal Code is
attached hereto and incorporated herein by this reference.

Section 2. Chapter 3, Article 1, Sections 3-101, 3-105, 3-106, 3-114, 3-115, 3-
116, and 3-118 of the Gothenburg Municipal Code are hereby amended to read as
follows:

3-101 MUNICIPAL WATER DEPARTMENT: OPERATION AND FUNDING.
The Municipality owns and operates the Municipal Water Department
through the Water/Sewer Foreman, who is responsible directly to the City
Administrator. The Governing Body, for the purpose of defraying the cost
of the care, management, and maintenance of the Municipal Water
Department may each year levy a tax not exceeding the maximum limit
prescribed by State law, on the actual valuation of all real estate and
personal property within the corporate limits that is subject to taxation.
The revenue from the said tax shall be known as the Water Fund and shall
remain in the custody of the Municipal Treasurer. The City Administrator
shall have the authority to adopt rules and regulations for the sanitary and
efficient management of the Water Department subject to the supervision
and review of the Governing Body. The Governing Body shall set the
rates to be charged for services rendered by ordinance and shall file a copy
of the rates in the office of the Municipal Clerk for the public inspection at
any reasonable time. (ref. 14-531, 17-534, 19-1305 RS Neb.)

3-105 MUNICIPAL WATER DEPARTMENT; INSTALLATION EXPENSE.
The expense of providing water service or replacement of water service
from the main to the lot line shall be paid by the consumer and installed by
the Municipality. The consumer shall then also pay the cost of installation
and pipe from the lot line to the place of disbursement. In the event the
consumer receiving new water service is a commercial class customer, the
Municipality shall also supply and install the required water meter. The
consumer shall be required to pay the expense of procuring the services of
a licensed plumber and shall pay the expense of furnishing and installing

pipe, trenching, and the necessary labor to bring water service from the said lot line to the place of disbursement. (Ref. 17-542 RS Neb.)

3-106 MUNICIPAL WATER DEPARTMENT; REPAIRS AND MAINTENANCE. The Municipality shall repair all supply pipe between the commercial main and the stop box. The customer at his own expense shall replace and keep in repair all service pipe from the stop box to the place of disbursement. When leaks occur in service pipes, the Water/Sewer Foreman shall shut off water service until the leak is repaired at the expense of the customer to the satisfaction of the Water/Sewer Foreman. All water meters shall be kept in repair by the Municipality at the expense of the Municipality. When meters are worn out, they shall be replaced and reset by the Municipality at the expense of the Municipality; provided, that if the customer permits or allows a water meter to be damaged, injured, or destroyed through his own recklessness, carelessness, or neglect so that the meter must be repaired or replaced, the City Administrator shall bill and collect from the customer the cost of such meter repair or replacement in the same manner as water rent is collected. Permitting a water meter to be damaged or destroyed by freezing shall always be considered negligence on the part of the customer. All meters shall be tested at the customer's request at the expense of the customer any reasonable number of times; provided, that if the test shows the water meter to be running two (2%) percent or more fast, the expense of such test shall be borne by the Municipality. The Municipality reserves the right to test any water service meter at any time, and if said meter is found to be beyond repair the Municipality shall always have the right to place a new meter on the customer's water service fixtures at Municipal expense. Should a consumer's meter fail to register properly, the customer shall be charged for water during the time the meter is out of repair on the basis of the monthly consumption during the same month of the preceding year; provided, that if no such basis for comparison exists, the customer shall be charged such amount as may be reasonably fixed by the City Administrator. It shall be unlawful for any person to tamper with any water meter, or by any means or device to divert water from the service pipe so that the same shall not pass through said meter, or while passing through said meter, to cause the same to register inaccurately. (Ref. 17-537 RS Neb.)

3-114 MUNICIPAL WATER DEPARTMENT; WATER SERVICE CONTRACTS. Contracts for water service are not transferable. Any person wishing to change from one location to another shall make a new application and sign a new contract. If any customer shall move from the premise where service is furnished, or if the said premise is destroyed by fire or other casualty, he shall at once inform the Water/Sewer Foreman who shall cause the water service to be shut off at the said premise. If the consumer should fail to give such notice, he shall be charged for all water

used on the said premise until the Water/Sewer Foreman is otherwise advised of such circumstances. (Ref. 17-537 RS Neb.)

3-115 MUNICIPAL WATER DEPARTMENT; INSPECTION. The Water/Sewer Foreman, or his duly authorized agents, shall have free access, at any reasonable time, to all parts of each premise and building to, or in which, water is delivered for the purpose of examining the pipes, fixtures, and other portions of the system to ascertain whether there is any disrepair or unnecessary waste of water. (Ref. 17-537 RS Neb.)

3-116 MUNICIPAL WATER DEPARTMENT; DESTRUCTION OF PROPERTY. It shall be unlawful for any person to willfully or carelessly break, injure, or deface any building, machinery, apparatus, fixture, attachment, or appurtenance of the Municipal Water Department. No person may deposit anything in a stop box or commit any act tending to obstruct or impair the intended use of any of the above mentioned property without the permission of the Water/Sewer Foreman.

3-118 MUNICIPAL WATER DEPARTMENT; UNSAFE PHYSICAL CONNECTION TO WATER DISTRIBUTION SYSTEM PROHIBITED; POTENTIAL BACKFLOW HAZARDS; CUSTOMER ASSESSMENT.

(1) No customer or other person shall cause, allow, or create any physical connection between the Municipal Water Distribution System and any pipes, pumps, hydrants, tanks, steam condensate returns, engine jackets, heat exchangers, other water supplies or any other connection whereby potentially unsafe or contaminating materials may be discharged or drawn into the Municipal Water Distribution System.

(2) At least one (1) time every five (5) years, customers or the Municipal Water Distribution and Supply System shall be required to assess and report potential backflow and backsiphonage hazards to the Municipality on a form supplied by the Municipality to the customer. The customer shall take any steps necessary for protection of public health and safety as determined by the Water/Sewer Foreman.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective from and after its passage, approval and publication as required by law.

PASSED AND APPROVED this 20^{4th} day of Aug^{July}, 2002.

Post-it® Fax Note		7671	Date	8-22-02	# of pages	4
To	James		From	CA		
Co./Dept.			Co.			
Phone #			Phone #			
Fax #	7554		Fax #			

CITY OF GOTHENBURG,
DAWSON COUNTY, NEBRASKA.

BY Larry Franzen
Larry Franzen, Mayor

ATTEST:

Connie Stull
Connie Stull, City Clerk

APPROVED AS TO FORM:

Steven P. Vinton
Steven P. Vinton, City Attorney
MAYOR L. FRANZEN