

TIGARD MUNICIPAL CODE

Chapter 12.10 WATER SYSTEM RULES AND REGULATIONS.

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12.10.010 Rules and Regulations Applicable to Utility Services.

1. Adoption of Administrative Rules
and Supplemental Regulations.

a. The City Council has the
authority to adopt initial administrative
rules and supplemental regulations
related to the provisions of utility
services. Such rules and regulations
shall be adopted by resolution.

b. The City Manager or
designee has the authority to amend
administrative rules and supplemental
regulations related to the provisions of
utility services as prescribed in
**Chapter 12.01.100 Rules and
Regulations Applicable to Utility
Services Code.** The City Manager or
designee has the authority to administer
the rules and regulations. Changes to
any administrative rules or supplemental
regulations, or any additional interim
rules shall follow all procedures as
described in Chapter 12.01.100.

12.10.020 Use Of Water.

Water will be furnished for
ordinary domestic, business and
community purposes, and fire protection
only. No water will be furnished for
the direct operation of steam
boilers, machinery or golf courses,
except on an interruptible basis, and the
City will assume no responsibility
therein. (Ord. 93-34)

12.10.030 Service Size.

Upon the application for single new
water service, and payment of all charges,

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the City will install a service connection and meter of such size and location as approved by the Public Works Department. Meter and water service piping shall be sized using the fixture count method as described in the State of Oregon Uniform Plumbing Code. The minimum size of any water meter, which connects to the city water system, shall be five-eighths/three-fourths inch diameter.

In new subdivisions, the City requires the installation of water mains, valves, fire hydrants, water services, and any other water related appurtenances by the developer as a part of improvements. All improvements and installations shall be in accordance of the Public Improvement Design Standards. (Ord. 02-31; Ord. 93-34)

12.10.040 Separate Connection.

A separate service connection will be required for each dwelling, apartment or motel, place of business, and institution. All outlying buildings and premises used as a part of such dwelling place or business or institution may be served from such connection, as well as all buildings on such premises operated under the one management. The City shall prescribe the number of buildings to be served from one meter and such determination shall be final. (Ord. 02-31; Ord. 93-34)

12.10.050 Furnishing Water.

The City shall not be obligated to furnish and install, at its expense, system facilities for all property within the City. The City shall, so far as reasonable, practicable, and within its financial means provide adequate source of supply, primary transmission mains, storage facilities and other improvements necessary to make water service generally available to all areas within the City. Extensions to furnish water to areas not now served by the City will be made at the expense of those persons requesting service. Such

extensions will be made by the City or by those expressly authorized by the City.

Consideration will be given to the City's ability to serve and to eligibility for annexation to the City of the property to be served. The City may contract with other governmental entities for the provision of water. The terms of service will be defined by agreement and consistent with the terms of this Chapter. (Ord. 93-34)

12.10.060 Service Pipe Standard and Maintenance.

Service pipes of all sizes, within or without the premises, whether for domestic, commercial, or fire protection purposes, must be materials, quality, class, and size as specified by the state plumbing code, Public Improvement Design Standards, or regulations of the City.

The service pipe within the premises and throughout its entire length to the water meter or to the property line if the water meter is set behind the property line, must be kept in repair and protected from freezing at the expense of the customer, lessee, or agent, who shall be responsible for all damages resulting from leaks or breaks. (Ord. 02-31; Ord. 93-34)

12.10.080 Jurisdiction Of Water System.

The operation and repair of the City's water system, including pipes, valves, pumps, storage reservoirs, fixtures, etc. is the complete responsibility of the City Public Works Department. No plumber, contractor, or

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other person will be allowed to connect to or operate any part of the City's water system up to and including the water meter. (Ord. 02-31; Ord. 93- 34)

12.10.090 Water Waste Inspection.

Water will not be furnished to premises where it is allowed to run or waste to prevent freezing or through defective plumbing or otherwise. All plumbing shall be in conformance with the appropriate codes of the jurisdiction issuing the building permit. (Ord. 93-34)

12.10.100 Physical Connections With Other Water Supplies Or Systems.

Neither cross connections nor physical connections of any kind shall be made to any other water supply, whether private or public, without the written consent and approval of the City Council, and the written approval of the Oregon Department of Human Services. Included in this category are all pipe lines, appurtenances and facilities of the City system and all pipes, appurtenances, pumps, tanks, storage reservoirs, facilities, equipment, appliances, etc., of other systems whether located within or on public or private property, or the premises of a water customer.

Any such connection shall be removed by the customer within ten days after written notice to remove is given by the City. If not removed within the time specified, the City may remove or discontinue service to any connection which it may have water service to the property.

No person shall interfere with or attempt to prevent the Public Works Director or other authorized representative from entering upon private premises and inspecting the property when

an emergency exists or the Public Works Director or authorized representative exhibits a warrant authorizing entry. (Ord. 93-34)

12.10.110 Cross Connection Control Program.

The City maintains a cross connection control program to protect the public water supply from contamination or pollution from potential cross connections; and to assure that approved backflow prevention assemblies or devices are tested and/or inspected annually.

The policies, procedures, and criteria for determining appropriate levels of protection shall be in accordance with the Accepted Procedure and Practice in Cross Connection Control Manual, American Water Works Association, Pacific Northwest Section, current edition (OR Admin. Rules, Ch. 333-61.070).

12.10.120 Payment - Delinquency. (Repealed by Ord. 96-02).

(Repealed by Ord. 96-02, Ord. 96-02; Ord. 93-34)

12.10.130 Water Rates.

All rates, fees and charges shall be set by resolution of the City Council. (Ord. 93- 34)

12.10.150 Interrupted Service – Changes In Pressure.

The water may be shut off at any time for repairs or other necessary work with or without notice. Conditions may

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cause a variation of the water pressure. The City will not be responsible for any damage caused by interruption of service or varying pressure. (Ord. 93-34)

12.10.160 Service Connection Maintenance.

The City will maintain all standard service connections in good repair without expense to the customers. Each customer is required to use reasonable care and diligence to protect the water meter and meter box from loss or damage by freezing, hot water, traffic hazards, and other causes, in default of which, such customer shall pay to the City the full amount of the resulting damage.

Each customer is required to maintain vegetation and other obstruction free zones around water meters, fire hydrants or other water appurtenances. The City shall have no liability for trimming of maintaining vegetation in order to access water meters, fire hydrants, or other water appurtenances. (Ord. 02-31; Ord. 93-34)

12.10.180 Limitation On The Use Of Water.

Limitation on the use of water as to hours, purpose, or manner may be prescribed from time to time by order of the City Public Works Director, based on a finding that the limitation is reasonable given the available and projected water supply and demand. Any order under this section shall be reviewed by City Council at its next session following issuance of the order. The City Council may affirm, withdraw or amend the order.

The City Public Works Director, the City Manager or the City Council may call for voluntary reductions in water use. (Ord. 01-15 §1, Ord. 93-34)

12.10.220 Fire Hydrants.
Repealed by Ord. 02-31. (Ord. 93-34)

12.10.230 Fire Hydrant - Temporary Use.

Any person who desires to use a fire hydrant for temporary water supply must obtain permission of the City. The charge for temporary use shall be set by resolution of the City Council. Customer is responsible for repair and/or replacement of damaged meter. (Ord. 93.34)

12.10.240 Illegal Use Of Fire Hydrant Or Meter.

Connection to a fire hydrant or meter without proper authority is a Class 1 civil infraction. (Ord. 02-3 1; Ord. 93-34)

12.10.250 Amendments - Special Rules - Contracts.

The City may at any time amend, change or modify any rule, rate or charge, or make any special rule, rate or contract, and all water service is subject to such power. (Ord. 93-34)

12.10.260 Grievances.

Any grievance as to service or complaints shall be made to the City Public Works Director, who shall attempt to resolve the problem. Any unresolved grievances as to service or complaints shall be reported and will be considered by the Intergovernmental Water Board at the Board's next meeting. (Ord. 93-34)

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12.10.300 Findings And Declaration of A Water Emergency.

Upon finding that the municipal water supply is incapable of providing an adequate water supply for normal usage due to a drought, system failure or any other event, the City Council may declare a water emergency and require that water usage must be curtailed. The declaration shall include the effective date, the reason for the declaration and the level of prohibition declared. The City Council may include an estimated time for review or revocation of the declaration. (Ord. 01-15 §2)

12.10.310 Levels Of Prohibition.

The City Council may adopt levels of prohibitions and restrictions for water use as described in the Water Management and Conservation Plan, and utility services policies administrative rules and supplemental regulations.

12.10.320 Enforcement.

- A. Warning. The City shall send a letter of warning for each violation of a curtailment restriction if no previous letter of warning has been sent to the person responsible for the violation. The letter of warning shall specify the violation, may require compliance measures and shall be served upon the person responsible for the violation. Service may be in person, by office or substitute service or by certified or registered mail, return receipt requested.
- B. Civil Infraction. After the person responsible for the violation has received a warning letter, any subsequent violation shall be treated as a civil infraction under Chapter 1.16. (Ord. 01-15 §4)

12.10.330 Penalties.

- A. First Violation – Warning letter.
- B. Second Violation of the same type – Class 3 infraction \$50.
- C. Third violation of the same type – Class 2 infraction \$100.
- D. Fourth and subsequent violations of the same type – Class 1 infraction \$250. (Ord. 01-15 §5)

12.10.340 Water Shut-Off.

After the third violation of a curtailment restriction, the Public Works Director may order that the water service to the location where the violation has occurred shall be shut-off or reduced. A shut-off notice shall be posted on the property at least 48 hours prior to the scheduled shut-off or reduction. The shut-off notice shall specify the reasons for the shut-off or reduction. Any person wishing to avoid a shut-off must provide the Public Works Director with evidence that the shut-off will create a health or safety risk.

All shut-offs imposed under this section shall be temporary, not to exceed thirty (30) days, provided the applicable charges are paid prior to reconnection. The reconnection charge and, if applicable, the meter disconnection charge imposed under Section 12.03.030 shall be paid before the reconnection. (Ord. 01-15 §6)