

# CITY OF ANTELOPE

## ORDINANCE NO. 167

### **An Ordinance Providing For the Administration and Operation of the Water Department of the City of Antelope; Providing For Deposits; Setting Water Rates; and Repealing Ordinance No. 158**

The City of Antelope Ordains as Follows:

Section 1. Definitions. The following definitions shall apply to this Ordinance:

- a) Residential: Properties used as residences and churches.
- b) Commercial: Properties used for the purpose of selling of goods or services, and schools.
- c) Irrigation: Watering of lawns, landscaping and/or private gardens
- d) Connection: The physical link between the city water system and a premises, including a shut-off valve and water meter.
- e) Premises: A lot of land and a building on that lot plus any attachments to that building.

Section 2. Water Usage.

- a) Irrigation shall be allowed on either residential or commercial properties. City water shall not be utilized for the purpose of watering pasturage, livestock, farm lands or commercial crops.
- b) No link through which water may pass from one property to another shall be constructed or permitted to remain in existence, even though the ownership of both properties may be the same. Provided, however, that where such conditions presently exist, they may continue at the discretion of the City of Antelope until in the judgment of the City of Antelope, it is feasible to make a separate connection. During such temporary period, the combined rates for each of the properties so connected or served, shall be charged to the property having the direct connection to the main, and the owner of that property shall be responsible for arranging with users on the other property served, for payment of their fair share of the total water bill.

- c) No person shall irrigate or use water from one water connection to irrigate lots or parcels of land within the City being in excess of 200 X 200 (40,000 sq. feet).

### Section 3. Water Rates.

- a) Each month's water fee shall be due and payable by the 15th of the month.
- b) If water bills are not paid by the 30th of the month, a reminder notice shall be issued to the premises, and/or the owner or his/her agent. If a bill is not paid by the 10th of the following month, a delinquent notice shall be issued to the premises and/or the owner or his/her agent. This notice shall specify that water service will be discontinued unless the delinquent bill is paid within the next 20 days.
- c) All charges for water service will be billed against the premises.
- d) However, if the premises served is not occupied by the owner of the premises, then the owner of the premises shall be responsible for the payment of water services to the premises. Bills may be mailed to any address specified by the owner of the premises served.
- e) When the water service to any premise has been shut off, service will not be resumed until the delinquent charges have been paid. In such cases, a turn-on fee established by the Council will be charged and collected at the time the delinquent charges are paid and a request for re-service is made.
- f) Any water bill, residential or commercial, more than thirty (30) days past due may be subject to a late charge established by the Council on the unpaid balance until paid, unless written arrangements have been made with the City Council for delay in payment due to hardship or other cogent reasons.
- g) Schedules of water rates shall be fixed by the City Council by resolution, and may, in like manner, be amended or altered from time to time, at the discretion of the City Council. Schedules of turn-on, connection and late charges shall also be fixed by the City Council by resolution, and may, in like manner, be amended or altered from time to time, at the discretion of the City Council.



- h) Any user desiring to connect to a City of Antelope water main shall, at the time of application for a permit, therefore pay to the City a fee. The amount of the fee shall be fixed by resolution, which may from time to time be amended or altered by the Council. In addition, for each premise the permit applicant shall pay labor and material charges incurred by the city in connecting the premise to the Antelope City Water System.

#### Section 4 Enforcement.

The City of Antelope may turn off water services for the reasons listed below. To obtain water services after water has been turned off, the delinquent bill plus late charges, if any, and the water turn-on fee must be paid.

- a) In the event a water bill is not paid in accordance with paragraph b of Section 3 of this Ordinance, water may be turned off.
- b) In the event of unauthorized water use, including unauthorized irrigation, the City may send a notice stating that unauthorized water use must cease within twenty-four (24) hours. If such unauthorized water usage does not cease within twenty-four (24) hours, water may be turned off. After first notice of violation, if such unauthorized usage continues, water may be turned off without any further notice.
- c) In the event water is turned off as an enforcement measure under this section, in order to re-connect to the City Water System, the property owner shall be required to pay the turn-on fee, plus any and all costs the City has incurred in disconnecting and reconnecting the water line.
- d) In addition to the above provisions for turn-off of City water service, the City of Antelope may seek any remedy at law or in equity in enforcing this ordinance.
- e) Where water is wastefully or negligently used on a user's premises, seriously affecting the general service, the City may discontinue service if such conditions are not corrected after due notice by the City.

Section 5. Repeal. Ordinance No. 158 is hereby repealed.

Section 6. The foregoing ordinance was passed this 9th day of December, 2003 by the following vote of the Antelope City Council.

AYES : Sheer, Beasley, Silvertooth, Opray

NAYS: 0

ABSENT: Hore

Signed by Brian Sheer, MAYOR

ATTEST: by Barbara Beasley, CITY RECORDER