

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 03-18(AM)**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 13.04.010 THROUGH 13.04.140 AND WMC 13.04.190, ENACTING WMC 13.04.075, REPEALING WMC 13.04.150 THROUGH 13.04.180, AND REPEALING ORDINANCE SERIAL NO. 99-27, CONCERNING THE CITY WATER SERVICE SYSTEM.**

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\* **Section 1. Classification.** Except for Section 19, this ordinance is of a general and permanent nature and shall become part of the city code.

\* **Section 2. Amendment of section.** WMC 13.04.010, Definitions is amended to read as follows:

"Applicant" means a [THE] person [OR PERSONS, FIRM OR CORPORATION OR OTHER ENTITY MAKING APPLICATION] applying for water service [FROM THE CITY] under [THE TERMS OF] this chapter.

"Business day" means a day on which the city's administrative offices are open to provide general services to the public.

"Business hours" means from 8 a.m. to 5 p.m. on a business day.

["COUNCIL" MEANS THE COUNCIL OF THE CITY OF WASILLA.]

"Customer" means an applicant whose application has been accepted by the city.

"Failed system" means an on-site water supply system whose well [THAT ONE OR MORE OF THE FOLLOWING CONDITIONS EXIST:

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1. A WELL THAT] requires re-drilling or replacement; or DRILLING OF A NEW WELL;

2. A WELL THAT] has been condemned or declared unusable or failed by the Alaska Department of Environmental Conservation.

"PILA" means payment in lieu of assessment, a charge levied to allow property owners outside of an assessment area to participate in water system construction costs.

"Water connection" means that part of the water distribution system connecting the water main with the property line of the property being furnished the water service or with the property line of the nearest property abutting the water main if the water connection must first cross this abutting property to reach the property being served, or to the control valve where a keybox is unnecessary.

"Water extension" means that part of the water distribution system extending from the water connection into the premises served.

"Water main" means that part of the water distribution system intended to serve more than one water connection.

\* **Section 3. Amendment of section.** WMC 13.04.020, Water service area - Required connection - Segregation private system prohibition – Notice, is amended to read as follows:

**13.04.020** **[WATER SERVICE AREA--] Required connection; Charge for Failure to Make Required Connection; Segregation of Other Water Sources; Private System Prohibition; Notice**

A. [AREA. THE WATER SERVICE AREA SHALL BE SUCH AREA WITHIN THE CITY SERVED BY THE CITY WATER SYSTEM.]

**Bold and underline added. [CAPS AND BRACKETS, DELETED.]**

B. ]Required Connection. The owner of a newly constructed building, or an existing building on a lot served by a failed system, shall connect the building to the city water system if an easement or right-of way adjacent to the lot either (i) contains a water main; or (ii) is connected by continuous easements or rights-of-way to an easement or right-of way that contains a water main, and the water main is within 150 feet, measured in a straight line, from the nearest lot line of the lot.

[UPON COMPLETION OF CONSTRUCTION OF A WATER MAIN IN FRONT OF, ALONG SIDE OF, OR ADJACENT TO PROPERTY WITHIN AN ASSESSMENT AREA, WITHIN AN AREA SERVED BY A PRIVATELY INSTALLED MAIN LINE WATER EXTENSION, OR WITHIN AN AREA OUTSIDE OF AN ASSESSMENT AREA WHERE A WATER MAIN HAS BEEN INSTALLED BY THE CITY FOR OTHER REASONS, PROPERTY OWNERS ARE REQUIRED, FOR ALL NEW CONSTRUCTION AND REPLACEMENT OF FAILED SYSTEMS, TO CONNECT TO THE CITY WATER SYSTEM IN ACCORDANCE WITH THE WATER CONNECTION PROCEDURES ESTABLISHED IN THIS CHAPTER. IN ADDITION TO THE ESTABLISHED WATER CONNECTION FEES, OWNERS OF PROPERTY CONNECTING TO THE WATER SYSTEM UNDER THE PROVISIONS OF THIS SECTION, SHALL PAY A FEE EQUAL TO OFF-SITE ASSESSMENTS, SAID AMOUNT CALCULATED IN THE SAME MANNER AS FOR ASSESSMENT DISTRICT 78-1.]

B. Charge for Failure to Make Required Connection. An owner of property that is required to connect to the city water system under A. of this section, and that is not connected [SHOULD THE OWNER OF PROPERTY FAIL TO CONNECT] to the city water system shall pay the city a charge equal to the monthly

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minimum for the type of service that would be furnished were water service supplied for [SHALL BE MADE] each month until connection is made. This charge shall be [EQUAL TO THE MONTHLY MINIMUM FOR THE TYPE OF SERVICE THAT WOULD BE FURNISHED WERE WATER SERVICE SUPPLIED, AND] levied upon and collected in the same manner as delinquent accounts under Section[S] 13.04.100[ AND 13.04.110].

C. Segregation of Other Water Sources. All plumbing on property that has been connected to the city water system shall be completely segregated from any other water source, so that no water from another source may enter [WHEN WATER SERVICE CONNECTIONS HAVE BEEN PROVIDED FOR PROPERTY, ALL WELLS AND SPRINGS ON SUCH PROPERTY SHALL BE COMPLETELY SEGREGATED FROM ]the city water system.

D. Private System Prohibition. No [IT IS BE UNLAWFUL FOR ANY ]person may [TO ]construct a private water system on a lot after the city has given notice under E. of this Section [FOR DRINKING AND SANITARY PURPOSES OR FOR FIRE PROTECTION AFTER NOTICE IS GIVEN ]that city water service is available to that lot.

E. Notice. Upon completion of the construction of a water main [PER SUBSECTION B OF THIS SECTION], the public works director [CITY CLERK] shall give notice identifying the properties to which the construction has made water service available under A. of this Section [NOTIFY PROPERTY OWNERS ]by certified mail to the record owner of each such property, and by publication for two consecutive weeks in a newspaper of general circulation in the city. The notices shall describe the requirement for connection to the city water system in A. of this Section, and the monthly charge for failure to connect under B. of this Section

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

[THAT CITY WATER IS AVAILABLE AND OF THE MANDATORY REQUIREMENTS. NOTICE SHALL ALSO BE PUBLISHED IN A NEWSPAPER OF LOCAL CIRCULATION FOR TWO CONSECUTIVE WEEKS ADVERTISING THE AVAILABILITY OF CITY WATER AND OF THE MANDATORY CONNECTION REQUIREMENTS].

\* **Section 4. Amendment of section.** WMC 13.04.030, Conditions of service, is amended as follows:

A. **Supply.** Water service shall be provided by the city, which shall exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to customers in adequate pressure and to avoid, insofar as reasonably possible, any shortage or interruption in delivery. The city shall not be liable for damage resulting from interruption in service or lack of service. Temporary suspension of service by the city for improvements and repairs may be necessary. Whenever possible, and when time permits, all customers affected by such suspension will be notified [PRIOR THERETO BY NOTICE THROUGH NEWS MEDIA OR OTHERWISE].

B. **Quality.** The city will exercise reasonable diligence to supply safe and potable water at all times.

C. **Ownership.** All water mains, water connections, valves, fittings, hydrants and other appurtenances, except water extensions [LINES ] shall be the property of the city, unless otherwise provided [BY THE COUNCIL BY WRITTEN CONTRACT].

D. **Classes of Service.** The classes of service shall be residential **and** [OR] commercial. Residential service[S] shall consist of [ALL SERVICES WHERE ]water **service that** is supplied for domestic purposes to a single-family dwelling [UNIT]. Commercial service[S] shall consist of [ALL SERVICES WHERE ]water **service that is**

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

not residential service [IS SUPPLIED FOR A COMMERCIAL OR BUSINESS ESTABLISHMENT, OR MULTI-DWELLING UNITS]. If water is supplied to a customer at the same premises both for domestic purposes [USE] in [BOTH ]a single-family dwelling unit and for other purposes, [A BUSINESS ESTABLISHMENT, ]the rate for commercial service[S] shall apply for the combined usage.

E. Resale of Water. A customer may resell [RESALE OF ]water [SHALL BE BY WRITTEN PERMIT ]only if the city permits resale in writing, such water has been metered and the customer [PERSON RESELLING THE WATER ]is current with respect to all utility billings with the city. [AND THAT SUCH WATER IS DELIVERED INSIDE THE CITY LIMITS OF THE CITY. RESOLD WATER MAY NOT BE TRANSPORTED, VIA A CONDUIT OR PIPING NETWORK, TO SERVE AN AREA OR PERSON OUTSIDE OF THE CITY. ONCE SOLD, WATER MAY BE TRANSPORTED ANYWHERE THE PURCHASER WISHES TO USE IT.] In times of water shortages, resale of water may not be allowed as determined by the public works director. [THESE TIMES WILL BE ANNOUNCED BY THE PUBLIC WORKS DEPARTMENT.]

F. Service Preference. In case of a water shortage, the city may give preferences among [TO ]customers as public convenience or necessity requires. No reduction in [W]water service to customers within [OUTSIDE ]the city may exceed the reduction applicable to the same type of service for [SHALL AT ALL TIMES BE SUBJECT TO THE PRIOR SUPERIOR RIGHTS OF THE ]customers outside [WITHIN] the city.

\* **Section 5. Amendment of section.** WMC 13.04.040, Application for service, is amended as follows:

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

A. Application Form. Each applicant for water service shall sign an application form provided by the public works director [CITY CLERK], giving the date of application, location of the premises to be served, the date applicant desires services to begin, class of service, mailing [THE] address[ FOR MAILING BILLS], the size of line required, and any [SUCH] other information requested [AS THE CITY MAY REASONABLY REQUIRE]. By signing the application, the applicant agrees to abide by WMC 13.04 [THIS SECTION] and all policies [RESOLUTIONS] or regulations promulgated thereunder [AND THE APPLICANT AGREES TO HAVE PLACED IN AN APPROVED LOCATION A NUMBER WHICH CONFORMS TO THE STREET NUMBERING SYSTEM OF THE CITY]. The application is a request for service and does not require the city to furnish service.

B. Amended Applications. Applicants or customers desiring a change in the size of line, class or location of service, or any change in equipment or operation [WHICH THE CITY CONSIDERS MATERIAL], shall file an amended application.

\* **Section 6. Amendment of section.** WMC 13.04.050 Water mains and water connections, is amended to read as follows:

A. [WITHIN THE CITY.] Water mains within the water utility service area [TO AREAS WITHIN THE CITY NOT PRESENTLY SERVED WITH WATER] shall be installed in accordance with plans and specifications approved by the public works director[CITY].

[B. OUTSIDE THE CITY. WATER MAINS OUTSIDE THE CITY SHALL BE INSTALLED ONLY AT THE EXPENSE OF THE CUSTOMERS SERVED.]

B[C]. Ownership. All water mains and appurtenances [THERETO] connected to the city water system, [WHETHER WITHIN OR WITHOUT THE CITY,] shall become the

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

property of the city, and shall be installed in accordance with plans and specifications approved by the city. All customers shall install meters at their own expense. Meters **shall** [ARE] be furnished by the city at cost plus twenty-five (25) percent. **The** [C] **city** is to maintain meters in normal operating condition, free of foreign matter in piping and/or factory defects. **The** [C] **customer** is responsible to safeguard meter from all damage and/[OR] breakage such as freezing, crushing, etc. **The** [ALL ] meter installations **for a premises** shall be **subject to inspection and approval** [INSPECTED ]by the city [AND SUCH INSTALLATIONS MUST BE APPROVED ]before **the city will furnish water to the premises** [WILL BE FURNISHED THEREFROM].

**C**[D]. Location. All water mains and water connections shall be on rights-of-way, easements or public property. All easements or right-of-way permits secured for water mains or water connections shall be obtained in the name of the city.

**D**[E]. Keybox. The city shall install a keybox or valve at the end of the water connection. It shall be a violation of this **chapter** [SECTION] for the customer to operate, cause or permit unauthorized operation of the keybox or valve, except in the case of emergencies.

\* **Section 7. Amendment of section.** WMC 13.04.060 Customer services, is amended to read as follows:

A. Water Extension. The water extension shall be owned, installed and maintained by the **customer** [APPLICANT FOR WATER SERVICE].

B. Service Connection Charges.

**1.** At the time **an** [THE] applicant files for water service where service has previously existed, or [IF THE APPLICANT IS FILING] for a change in service [CLASS,

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]



SIZE, OR LOCATION], the applicant shall submit an [WITH HIS] application for [A] service and a connection charge, which will cover the actual cost to the city of the connection, plus twenty-five (25) percent.

2. Where a new tap into a water main and the setting of a new keybox is required the charge shall be the actual cost to the city for making the connection plus twenty-five percent. The charges for service connections where the customer provides trench excavation, backfill, compaction and restoration of the surrounding areas to include traveled ways shall be as follows:

<u>1.00"</u>	<u>\$400</u>
<u>1.50"</u>	<u>\$600</u>
<u>2.00"</u>	<u>\$650</u>
<u>4.00"</u>	<u>\$800</u>
<u>6.00"</u>	<u>\$1,000</u>
<u>8.00"</u>	<u>\$1,200</u>

3. When a key box is already set the charge for inspection of pipe installation shall be \$130.

4. In addition to the other fees payable under this Section, the first applicant for water service to a property shall pay a PILA equal to an the amount calculated for an off-site assessment in the manner provided for Assessment District 78-1.

C. Installation Procedure. The public works director shall promulgate regulations, specifications, orders or procedures governing the installation of water extensions. [REGULATIONS, ORDERS OR PROCEDURES GOVERNING THE

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

INSTALLATION OF WATER EXTENSIONS SHALL BE PROMULGATED BY THE MAYOR, SUBJECT TO APPROVAL OF THE COUNCIL BY RESOLUTION.] All water extensions and repairs, modifications or disconnections [THEREOF] shall conform to the requirements of [BE MADE ONLY ON THE TERMS AND CONDITIONS SET FORTH IN ]the *Uniform Plumbing Code (Current Edition)* and such [FURTHER] regulations, specifications, orders, or procedures [AS THE COUNCIL MAY APPROVE BY RESOLUTION].

D. Joint Services Water Extensions. The city may, at its option, serve two or more premises or customers with one water extension [CONNECTION], provided that the [SUCH] joint [SERVICE] water extension line[S] shall be the same [SUCH A ] size that would be required for the largest[OF THE ]individual water extension line[S] that it would replace. No customer may provide a water extension [SERVICE SHALL BE PERMITTED ]to another customer [OTHER CUSTOMERS ]except in accordance with the [THAT UNDER ]written approval of the public works director [CONTRACT APPROVED BY COUNCIL].

E. Number of Water Extensions [CONNECTIONS ] on Premises. The owner of a single parcel of property may apply for and receive as many connections to water extensions as required [HE OR SHE AND HIS OR HER TENANTS MAY REQUIRE], provided the [HIS] application or applications meet the requirements of this chapter and the city's standard specifications [SECTION].

F. [WATER HOLDING TANKS. CUSTOMERS TO WHOM A WATER MAIN IS NOT AVAILABLE MAY HAVE WATER DELIVERED TO THEIR PROPERTIES FOR DISCHARGE INTO HOLDING TANKS, PROVIDED THAT THE LOCATION, TYPE OF

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HOLDING TANK, AND ACCESS THERETO IS APPROVED BY THE CITY. QUANTITY AND FREQUENCY OF DELIVERY SHALL BE DETERMINED BY REGULATIONS OR ORDERS OF THE CITY AND APPROVED BY THE COUNCIL BY RESOLUTION AND THE RATE CHARGED FOR SUCH DELIVERY SHALL BE DETERMINED BY THE COUNCIL.]

G. ]Temporary Water Use. The city may provide water service through temporary water extensions and water connections [MAY BE PROVIDED BY THE CITY] for a period not to exceed six months, unless an extension is granted by the public works director [CITY. COSTS OF CONNECTIONS, DEPOSITS, CHARGES FOR INSTALLATION AND REMOVAL OF EQUIPMENT SHALL BE ESTABLISHED BY THE COUNCIL BY ORDINANCE.]

G[H]. Customer's Plumbing.

1. New Construction. [THE] Customer[S] plumbing including [WHICH SHALL INCLUDE] the water extension lines and all plumbing, piping, fixtures and other appurtenances carrying or intended to carry water on property owned or controlled by the customer, shall comply with the *Uniform Plumbing Code* (Current Edition) and city standard specifications.

2. Existing Facilities. The city shall have the right to inspect existing facilities to make sure there are no cross connections or possibilities of contamination to the city water system.

H. Water service deposit. An applicant is not required to make a deposit to obtain water service. However, an applicant is required to pay all prior debts for water service, service connections, service calls and delinquent water special

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assessment installments that the applicant owes the city before receiving water service. The city may require a deposit not exceeding two months estimated usage from a customer who has been disconnected for non-payment for water service or non-compliance with regulations.

\* **Section 8. Amendment of section.** WMC 13.04.070 Metered service - Tests, is amended to read as follows:

A. All customers shall install meters at their own expense, the meter to be furnished by the city and to remain [REMAINS ]city property. All meter installations shall be inspected and [BY THE CITY, AND SUCH INSTALLATION MUST BE ]approved by the city before water will be furnished [THEREFROM].

B. The city will test a [M]meter [TESTS ]at the request of a [THE ]customer, [WILL BE MADE, AND] [I]f the meter is found to register within two percent of accuracy, the customer shall pay a test fee of \$65 [AS DETERMINED BY THE COUNCIL]. If the meter is found to register in excess of two percent fast or slow, the city will pay for the testing and will adjust the customer's bill accordingly.

C. [JOINT USE OF METERS.] Meters cannot be used by more than one customer except as provided by written contract with the city.

\* **Section 9. Adoption of section.** WMC 13.04.075, Service call charge, is adopted to read:

**13.04.075 Service call charge**

The charge for service calls on problems that are the customer's responsibility shall be \$65 per hour for service calls that occur entirely during business hours, and \$97.50 per hour with a one-hour minimum charge for service

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calls that include time outside of business hours. There shall be a \$30 charge for delivering a delinquency notice or a shut-off notice.

\* Section 10. Amendment of section. WMC 13.04.080, Water rates, is amended as follows:

A. Metered [W] water service shall be furnished at the rate of \$4.55 per thousand gallons, subject to a monthly minimum charge of \$22.75. Bulk water sales shall be subject to the prior approval of the water utility operator, and shall be metered and furnished at the rate of \$4.55 per thousand gallons. A deposit of \$500 is required for bulk water sales. Temporary water service may be provided at a fee of \$50 for each two weeks of temporary service, payable in advance [RATES SHALL BE DETERMINED BY THE COUNCIL, ADOPTED BY ORDINANCE, AND SHALL BE AVAILABLE IN THE CITY CLERK'S OFFICE FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS].

B. In addition to usage charges under A. of this section, water customers shall pay the following facility charges to recover the cost of water system capital improvements.

1. Each customer who receives water service through an existing private or public water system that is taken over by the city shall pay an additional facility charge of \$11.45 per month in lieu of off-site assessments and for other improvements that benefit individual lots. This facility charge shall be payable from the date that the city takes over the existing system until an amount has been paid for each premises receiving service through the existing system that is equal to the amount calculated for an off-site assessment in the manner provided for

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Assessment District 78-1. Where water service through such an existing system is available to a property that is not connected to the system, connection of the property will be conditioned on payment of the facility charges that otherwise would have accrued under this paragraph to the date of connection.

\* **Section 11. Amendment of section.** WMC 13.04.090, Notices, is amended to read as follows:

A. Notices to Customers. Notices from the city to a customer will [NORMALLY] be given in writing, and either mailed to or delivered to the customer at the customer's [HIS] last known address. Where conditions warrant and during emergencies, the city may notify the customer either by telephone or messenger.

B. Notices from Customers. Notices from customers to the city may be given by the customer or an [HIS] authorized representative [ORALLY OR] in writing at the office of the public works director [CITY CLERK OR TO THE UTILITY SERVICES FOREMAN OF THE CITY DULY AUTHORIZED TO RECEIVE NOTICES OR COMPLAINTS].

C. Notice of Suspension [DISCONTINUANCE ]for Repairs. Notices from the city to a customer providing for the suspension [DISCONTINUANCE ]of service for the purpose of repairs shall be given to a customer in writing twenty-four (24) hours before the suspension commences, [PRIOR TO SUCH DISCONTINUANCE, ]except in the case of emergencies.

\* **Section 12. Amendment of section.** WMC 13.04.100, Account payment – Delinquent accounts, is amended to read as follows:

A. The city shall [CAUSE TO HAVE METERS] read water meters during the third week of each month and mail bills to the address provided by the customer. Bills

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shall be due on the 15th day of each month. [A PENALTY AS DETERMINED BY THE COUNCIL WILL BE CHARGED FOR LATE PAYMENT. STATEMENT FORMS MAILED BY THE CITY SHALL BE RETURNED TO THE CITY WITH PAYMENT OF THE BILL.]

Upon approval and prior arrangement with the city advance payments are acceptable.

B. [DELINQUENT ACCOUNTS.

[1.] Unpaid accounts become delinquent the day following the due date. A penalty of eight percent shall be added to all delinquent payments. The finance director [UTILITY BILLING CLERK] may send a notice of account delinquency to each delinquent customer as soon as possible after the due date. [UNPAID ACCOUNTS BECOME DELINQUENT THE DAY FOLLOWING THE DUE DATE. 2.] On or after ten (10) calendar days after an account becomes delinquent, a turnoff notice shall be delivered to the customer. The notice shall state a date on or after which water will be turned off if the delinquent account has not been [IS NOT ] paid in full [PRIOR THERETO]. Such date will be not less than two business [WORKING ] days after the date of notice if the notice is delivered to the address receiving water service or not less than seven [(7)] business days if the notice is mailed to the address of record of the customer. The delivery to the premises served or mailing to the address of record of the customer shall be considered a delivery to the customer.[3.] On or after the turnoff date, any agent of the city may turn off the water service to the delinquent customer.

\* **Section 13. Amendment of section.** WMC 13.04.110, Discontinuance of service, is amended to read as follows:

A. On Customer Request. Each customer shall give the city written notice of the customer's [HIS OR HER ] intention to discontinue water service at least two

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

business [WORKING ]days prior to the date [HE OR SHE WISHES WATER] service shall be discontinued, [, AND SHALL SPECIFY THE DATE SERVICE IS TO BE DISCONTINUED; OTHERWISE, THE] The customer shall be responsible for all water supplied to the premises until the later of the date two business days after the city receives the discontinuance notice from the customer and the date of discontinuance stated in the notice. [CITY SHALL RECEIVE NOTICE OF SUCH DISCONTINUANCE. ]Upon discontinuance of water service, a bill shall be rendered and [SUCH BILL SHALL BE] payable immediately. In no case will the bill be less than the monthly minimum specified in the current water rate schedule for the class or classes of water service [HERETOFORE] furnished.

B. [NONPAYMENT OF WATER SERVICE CHARGES. IF WATER SERVICE CHARGES ARE NOT PAID WHEN DUE BY ANY PERSON, FIRM, CORPORATION OR OTHER ENTITY WHOSE PREMISES ARE SERVED BY WATER SERVICE, THEN THE WATER SERVICE PROVIDED TO THAT CUSTOMER MAY BE DISCONTINUED BECAUSE OF THE DEFAULT IN THE PAYMENT OF THE WATER SERVICE CHARGES.

C. Unsafe or unlawful customer facilities [PROPER CUSTOMER FACILITY. 1]. The city may refuse to furnish water and may discontinue water service to any premises without prior notice where plumbing facilities, appliances or equipment using water are dangerous, unsafe, or not in conformity with the plumbing regulations of the city.

C. [2.]Cross Connections Prohibited. No physical connection between the water service system and any other water source shall be permitted, and the city may

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discontinue services, to any persons or premises where a cross connection exists, without notice.

D. Other Reasons. The city may discontinue service to any customer, upon five **calendar** days written notice, for any of the following reasons:

1. Wasteful or negligent use of water;
2. Excessive use of water resulting in inadequate service to other customers;
3. Fraud or abuse by the customer;
4. Unauthorized turn on of water after discontinuance of water service by the

city; and

5. Noncompliance with this **chapter** [SECTION] or any regulations, resolutions or orders issued pursuant thereto.

\* **Section 14. Amendment of section.** WMC 13.04.120, Access to property, is amended to read as follows:

Upon proper notice, employees of the city shall have access at all reasonable hours to any and all parts and structures of the premises in which water is or may be delivered for the purposes of inspecting connections, the conditions of the conduits and fixtures, and the manner and extent to which the water is being used. **Such inspections are made solely for the benefit of the city, and the city has no duty to inspect the plumbing or equipment of a customer, to conduct an inspection in any particular manner, or to notify the customer of the results of any inspection** [THE CITY DOES NOT, HOWEVER, ASSUME THE DUTY OF INSPECTING THE CUSTOMER'S PLUMBING AND EQUIPMENT, AND SHALL NOT BE RESPONSIBLE THEREFORE].

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

\* **Section 15. Amendment of section.** WMC 13.04.130, Responsibility for equipment, is amended to read as follows:

The city shall not be liable for any loss or damage [OF ANY NATURE WHATSOEVER] caused by any defect in a customer's [THE] water extension, [LINE OR THE CUSTOMER'S] plumbing or equipment, nor shall the city be liable for loss or damage due to interruption of service or changes in pressure. The customer shall be responsible for valves on the customer's [HIS OR HER ]premises being turned off when the water service is turned on.

\* **Section 16. Amendment of sub-section.** WMC 13.04.140.C, Moving a Fire Hydrant, is amended to read as follows:

C. Changes to [MOVING ]a fire hydrant. No person may [ANY PARTY DESIRING TO ]change the size, type or location of a fire hydrant without first obtaining written approval of the change from the city, and paying all costs of the requested change, [SHALL BEAR ALL COSTS OF SUCH CHANGES. ANY CHANGES IN THE SIZE, TYPE OR LOCATION OF A FIRE HYDRANT] SHALL BE APPROVED BY THE CITY AND BY THE FIRE CHIEF OF FIRE SERVICE AREA #1].

\* **Section 17. Repeal of sections.** WMC 13.04.150, Administration and enforcement, WMC 13.04.160, Suspension of rules, WMC 13.04.170, Easements and rights-of-ways, and WMC 13.04.180, Experiments and innovations, are repealed in their entirety:

[13.04.150 ADMINISTRATION AND ENFORCEMENT.

THIS CHAPTER SHALL BE ADMINISTERED AND ENFORCED BY THE CITY MAYOR.

THE CITY COUNCIL SHALL HAVE THE AUTHORITY TO ESTABLISH AND REGULATE

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

RATES FOR WATER SERVICE PURSUANT TO CHAPTER 48 OF TITLE 29, ALASKA STATUTES. ALL RATES AND OTHER CHANGES ADOPTED BY THE COUNCIL SHALL BE BY ORDINANCE AND AVAILABLE FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS AT THE OFFICE OF THE CITY CLERK. ALL MONIES COLLECTED FOR WATER SERVICES WILL BE SEPARATELY ACCOUNTED FOR BY THE CITY FINANCE DIRECTOR OF THE CITY OF WASILLA AND USED FOR SUCH PURPOSES AND DISBURSED BY THE COUNCIL AS IT MAY DEEM APPROPRIATE. THE CITY COUNCIL MAY ADOPT SUCH ADDITIONAL REGULATIONS, RESOLUTIONS, ORDERS, PROVISIONS AND PROCEDURES PERTAINING TO WATER SERVICE AS IT DEEMS PROPER.

13.04.160 SUSPENSION OF RULES.

NO EMPLOYEE OF THE CITY IS AUTHORIZED TO SUSPEND OR ALTER ANY OF THE PROVISIONS HEREOF WITHOUT SPECIFIC APPROVAL OR DIRECTION OF THE CITY COUNCIL, EXCEPT IN CASES OF EMERGENCY INVOLVING A DANGER OF LOSS OF LIFE OR PROPERTY OR WHICH WOULD PLACE THE WATER SYSTEM OPERATION IN JEOPARDY.

13.04.170 EASEMENTS AND RIGHT-OF-WAYS.

EACH APPLICANT AND CUSTOMER GIVES AND GRANTS TO THE CITY AN EASEMENT AND RIGHT-OF-WAY ON AND ACROSS HIS PROPERTY FOR THE INSTALLATION OF WATER CONNECTIONS, WATER EXTENSIONS AND WATER MAINS AND THE NECESSARY VALVES AND EQUIPMENT USED IN CONNECTION THEREWITH.

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

13.04.180 EXPERIMENTS AND INNOVATIONS. NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO PROHIBIT THE USE OF EXPERIMENTAL AND/OR INNOVATIVE PROCESSES OR PROCEDURES FOR WATER SERVICE. THE OPERATION OF SUCH DEVICE, PROCESS OR PROCEDURE SHALL HAVE THE PRIOR APPROVAL OF THE CITY COUNCIL. THE COUNCIL SHALL APPROVE ALL SUCH DEVICES, PROCESSES AND PROCEDURES THAT ARE NOT IN CONFLICT WITH THE HEALTH AND WELFARE OF THE CITY OF WASILLA. APPLICATIONS FOR APPROVAL OF SUCH DEVICES, PROCESSES AND PROCEDURES SHALL BE MADE TO THE CITY COUNCIL.]

\* **Section 18. Amendment of sub-sections.** WMC 13.04.190.B and C, Water main extensions by private developers, are amended as follows:

B. Authority. A private developer may extend a city water main only under the terms of a water main extension agreement approved by the city [UPON APPROVAL OF ]council.\_\_\_\_[, WATER MAINS MAY BE EXTENDED BY PRIVATE DEVELOPERS. ANY SUCH] The city will approve and accept a water main extension only if the extension conforms to [EXTENSIONS SHALL BE PERFORMED IN ACCORDANCE WITH ]city standards and specifications,\_[. IMPROVEMENTS WILL NOT BE ALLOWED OR ACCEPTED UNLESS ]the plans for the extension have been approved by the city and the state of Alaska, [A.D.E.C.]the developer has paid all fees and charges required for connection to the city water system, and the developer has signed the [A ]water main extension agreement[ AND SPECIFICATIONS REFERRED TO IN THIS SECTION ARE ATTACHED AND MADE A PART HEREOF AND MAY BE ALTERED FROM TIME TO TIME AS THE COUNCIL DEEMS NECESSARY].

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

C. Extension Agreement Fee.

1. A developer shall pay the city's actual cost associated with the work the developer performs in a public place under a water main extension agreement. The city's costs shall include administering the agreement, plan checking, surveillance and administrative overhead.

2. Prior to city approval of the construction of a water main extension under this chapter, the developer shall pay a deposit toward the city's costs, based upon the estimated cost of the improvements to be constructed under the water extension agreement, as follows:

[ESTIMATED COST DEPOSIT]

<u>Estimated cost of improvements</u>	<u>Deposit</u>
\$34,000 or less	\$1,000
Over \$34,000 up to \$500,000	3% of Estimated Cost
over \$500,000	\$15,000

3. If at any time the city finds its actual costs exceed the total deposit received, the city may require [PERIODICALLY BILL AND RECEIVE PAYMENT FROM ]the developer to pay the excess of the actual [FOR THOSE ACTUAL INCURRED ]costs over [IN EXCESS OF ]the total [AMOUNT OF ]deposit received. After the City finds the improvements meet municipal specifications, it shall determine its costs to date. If the costs exceed the total deposits received, the developer shall pay the balance to the City prior to final acceptance of the improvements. Deposits exceeding total costs shall be

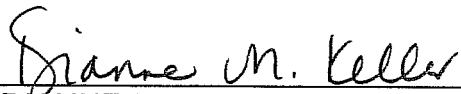
**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

refunded to the developer. Deposits paid under this section shall be deposited in a separate account, disbursed only as authorized by this section and shall not bear interest.

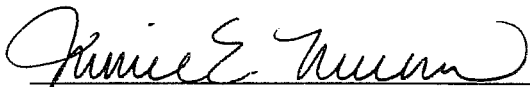
**Section 19. Repeal.** Ordinance Serial No. 99-27 is hereby repealed in its entirety.

\* **Section 20. Effective date.** This ordinance shall take effect on July 1, 2003.

ADOPTED by the Wasilla City Council on June 9, 2003

  
\_\_\_\_\_  
DIANNE M. KELLER, Mayor

ATTEST:

  
\_\_\_\_\_  
JAMIE E. NEWMAN, CMC  
City Clerk

[SEAL]



**CITY OF WASILLA**

290 E. HERNING AVE.  
WASILLA, AK 99654-7091  
PHONE: (907) 373-9090  
FAX: (907) 373-9092

TO: Wasilla City Council  
THRU: Mayor Dianne M. Keller *DMK*  
FROM: Don Shiesl, Public Works Director  
DATE: May 19, 2003  
SUBJECT: Ordinances Serial No. 03-18(AM) and 03-19(AM)

**SUMMARY:** At the direction of City Council, the "facility rate" portion of the proposed rate increase has been eliminated and incorporated into the "metered rate", such that each user will see the same percent increase. The water rate will increase from \$3.15 to \$4.55 per thousand gallons, and the sewer rate will increase from \$4.45 to \$5.15 per thousand gallons. The impact to the different user groups is as follows:

Type of User	Existing Monthly Fee	Proposed Monthly Fee	Percent Increase
<b>Minimum &lt; 5,000 gal/month</b>			
Water	\$15.75	\$22.75	44
Sewer	\$22.25	\$25.75	16
Combined	\$38.00	\$48.50	28
<b>Medium 7,500 gal/month</b>			
Water	\$23.63	\$34.13	44
Sewer	\$33.38	\$38.63	16
Combined	\$57.01	\$72.76	28
<b>Large 250,000 gal/month</b>			
Water	\$787.50	\$1,137.50	44
Sewer	\$1,112.50	\$1,287.50	16
Combined	\$1,900.00	\$2,425.00	28

This rate increase is projected to generate \$236,837 in annual revenue to offset \$282,848 of annual debt service (84%).

**RECOMMENDED ACTION:**

To Approve Ordinances Serial No. 03-18(AM) and 03-19(AM).



**CITY OF WASILLA**

290 E. HERNING AVE.  
WASILLA, AK 99654-7091  
PHONE: (907) 373-9090  
FAX: (907) 373-9092

TO: Wasilla City Council  
THRU: Mayor Dianne M. Keller *Dme*  
FROM: Don Shiesl, Public Works Director  
DATE: May 7, 2003  
**SUBJECT: Ordinances Serial No. 03-18 and 03-19**

**BACKGROUND:** In 1995, the City's two original production wells, next to Iditarod Elementary School, began to produce less water and they also began to have iron bacteria contamination. By 1998, the wells were no longer useful and the City drilled a third deeper well on this site and found no water.

In 1999, the City obtained a \$300,000 ADEC Grant to drill exploratory wells and to complete a Water System Master Plan. The Master Plan was completed in 2001 and it identified four major areas of deficiency:

- 1) Growth in the next 5 years could impact fire flow demand required by ISO.
- 2) No back-up well for Spruce Ave well, as required by 10 State Standards.
- 3) No redundancy in water piping for Spruce Ave reservoir.
- 4) Growth in the next 5 years could double demand on water system.

Based on the exploratory well results and the availability of land, the Master Plan identified the Bumpus Ballfield Area is the optimum location for new wells and reservoirs to address the above deficiencies. The Bumpus Reservoir Facility is primarily needed as a redundant source for City water. Secondly, the facility will be needed in 5 years if rapid growth continues.

Over the last 5 years, the City has received \$3.3 million in State and Federal grants for water and sewer improvements to keep up with growth and improve existing capacity. Over the next 3 years, the City expects to receive another \$3.2 million in State and Federal grants for future growth and to improve existing service. The construction of water and sewer mains towards the Sports Complex and Airport are being funded by State and Federal grants (\$1.5 million).

The City has not been able to fund water and sewer improvements with grant funding alone. \$4.8 million in loan funding has been secured, primarily to address deficiency items 2 and 3 above, to improve the reliability of the water system.



**SUMMARY:** Council is requested to consider how much of the debt service should be paid directly by the users, with the balance being paid by the general fund. As presented, the proposed rate increases will cover 86 percent of the debt service.

It is recognized that with the facility rate added, the minimum water user is seeing the highest percent rate increase, as shown below:

Type of User	Existing Monthly Fee	Proposed Monthly Fee	Percent Increase
Minimum < 5,000 gal/month			
Water	\$15.75	\$25.75	64
Sewer	\$22.25	\$29.75	34
Combined	\$38.00	\$55.50	46
Medium 7,500 gal/month			
Water	\$23.63	\$36.13	53
Sewer	\$33.38	\$42.13	26
Combined	\$57.01	\$78.26	37
Large 250,000 gal/month			
Water	\$787.50	\$1,042.50	32
Sewer	\$1,112.50	\$1,242.50	12
Combined	\$1,900.00	\$2,285.00	20

Residential facility rates could be adjusted to reduce the percent increase, as follows:

A \$2.50 residential facility rate equals a \$26,460 loss of revenue  
The combined water and sewer percent increase would be 32%.

A \$1.50 residential facility rate equals a \$41,917.50 loss of revenue  
The combined water and sewer percent increase would be 27%.


The water and sewer utility currently breaks even with its operating costs vs. revenue, that includes the annual revenue from new connections (PILA's). The new debt service causes the utility to operate at a loss. The rate increases have been proposed to offset this loss.

**RECOMMENDED ACTION:** To consider the appropriate amount of user contribution towards utility debt service.



**CITY OF WASILLA**

290 E. HERNING AVE.  
WASILLA, AK 99654-7091  
PHONE: (907) 373-9090  
FAX: (907) 373-9092

TO: Wasilla City Council  
THRU: Mayor Dianne M. Keller   
FROM: Don Shiesl, Public Works Director  
DATE: April 7, 2003  
**SUBJECT: Ordinances Serial No. 03-18 and 03-19**

**SUMMARY:** These Ordinances are proposed to do the following;

- 1) Incorporate the existing non-code fee ordinances into the City Code;
- 2) Establish water and sewer fee increases; and
- 3) Update other provisions to reflect current practices.

The fee increases are related to two areas; 1) fees for service calls are proposed to increase from \$50 per hour to \$65 per hour; and 2) monthly user fees are proposed to increase to help recover newly incurred debt service.

The new debt service begins in FY04, as follows:

Debt	Annual Payment
\$905,000 for Water Extensions at 2.5% over 20 years	\$58,053
\$3,309,000 for Bumpus Reservoir at 4.8% over 40 years	\$187,590
\$580,000 for Sewer Extensions at 2.5% over 20 years	\$37,205
<b>Total</b>	<b>\$282,848</b>

The estimated annual revenue for the proposed monthly increase is as follows:

Proposed Monthly Increase	Estimated Annual Revenue
Water = \$1.00 per 1000 gal.	\$121,374
Sewer = \$0.50 per 1000 gal.	\$47,796
Water Facility Charge = \$5.00	\$45,000
Sewer Facility Charge = \$5.00	\$30,000
<b>Total</b>	<b>\$244,170</b>

A comparison of the existing and proposed user fees is as follows:

**Monthly Water and Sewer Service Fees**

Existing Water Fee	Proposed Water Fee	Existing Sewer Fee	Proposed Sewer Fee
\$3.15 per 1000 gal.	\$4.15 per 1000 gal.	\$4.45 per 1000 gal.	\$4.95 per 1000 gal.
\$15.75 minimum	\$20.75 minimum	\$22.25 minimum	\$24.75 minimum
No flat rate	No flat rate	\$28.25 flat rate	\$31.50 flat rate
No facility charge	\$5.00 facility charge	No facility charge	\$5.00 facility charge

The new facility charge is proposed to capture an equal flat rate from each customer. The balance of the debt service recovery is based on the amount of water and/or sewer used each month by each customer.

The debt has been incurred for water and sewer main extensions, and for the new Bumpus Reservoir Facility. The new reservoir facility is approximately two-thirds of the debt service, and therefore, the water customers are proposed to receive a proportionally higher share of the fee increase.

The following table shows the fee increase for various users:

<b>Type of User</b>	<b>Existing Monthly Fee</b>	<b>Proposed Monthly Fee</b>
<b>Minimum (small home or business) &lt; 5,000 gal/month</b>		
Water	\$15.75	\$25.75
Sewer	\$22.25	\$29.75
Combined	\$38.00	\$55.50
<b>Medium (large home or med. business) 7,500 gal/month</b>		
Water	\$23.63	\$36.13
Sewer	\$33.38	\$42.13
Combined	\$57.01	\$78.26
<b>Large Commercial 250,000 gal/month</b>		
Water	\$787.50	\$1,042.50
Sewer	\$1,112.50	\$1,242.50
Combined	\$1,900.00	\$2,285.00

The proposed monthly fee increases are designed to help recover new debt service. The user fees do not address water or sewer system depreciation (replacement cost). Any excess revenue from the proposed fee increases will support future improvements to the water and sewer system, as the systems age.

**RECOMMENDED ACTION:** To introduce and set for public hearing.

# CITY OF WASILLA FEE COMPARISONS

Type of User	Existing 1998 Monthly Fee	Proposed Monthly Fee	Palmer 1997	Soldotna 1991	Kenai 1993
Minimum (small home or business) 5,000 gal/month					
Water	\$15.75	\$25.75	20.75	13.71	10.35
Sewer	\$22.25	\$29.75	14.00	20.99	28.70
Combined	\$38.00	\$55.50	34.75	34.7	39.05
Medium (large home or med. business) 7,500 gal/month					
Water	\$23.63	\$36.13	27.80	18.26	24.50
Sewer	\$33.38	\$42.13	22.40	26.62	67.00
Combined	\$57.01	\$78.26	50.20	44.88	91.50
Large Commercial 250,000 gal/month					
Water	\$787.50	\$1,042.50	596.50	327.11	331.00
Sewer	\$1,112.50	\$1,242.50	700.00	934.74	914.00
Combined	\$1,900.00	\$2,285.00	1,296.50	1,261.85	1,245.00

note: other cities are not charging for debt service, replacement cost or depreciation.