

ORDINANCE NO. 5457

AN ORDINANCE UPDATING THE FEES AND RATES FOR WATER SERVICE BY AMENDING CHAPTER 13.04 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, Chapter 9-47 of the South Dakota Codified Laws delegates to municipalities the authority to establish and operate municipal water systems; and

WHEREAS, pursuant to the authority granted to it by the State, the City of Rapid City has established and operates a municipal water system; and

WHEREAS, Rapid City's water distribution system is an enterprise fund which must be able to economically support itself without the use of the City's General Fund; and

WHEREAS, the funds required to build, operate and maintain the City's water system are generated solely through the fees and rates charged to the water system's customers; and

WHEREAS, the fees and rates the City has currently adopted by ordinance are based on a study conducted in 2004; and

WHEREAS, the City's current fee and rate plan which is based on the 2004 study expires this year; and

WHEREAS, the City has identified the necessity for new water treatment plants and other capital improvements to the City's water system which the current fee and rate structure will not be adequate to support; and

WHEREAS, the City has commissioned a new study of the water system fees and rates; and

WHEREAS, the consultant retained by the City to conduct the study has made recommendations on what the City's water fees and rates should be in order to be able to adequately support the capital improvements which have been previously identified and to maintain the level of service expected by the City's water customers; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interest to update the City's current fee and rate structure for its water system, based on the recommendations of its consultant, by amending Chapter 13.04 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Chapter 13.04 of the Rapid City Municipal Code is hereby amended to read as follows:

Chapter 13.04

WATER SERVICE SYSTEM

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ARTICLE I. GENERALLY

13.04.005 Definitions.

For the purpose of this chapter, the following shall apply unless the context clearly indicates or requires a different meaning. The definitions from other Chapters of this Code shall apply to this Chapter if any dispute arises over what is meant by any of the terms herein, unless such definition is directly contradicted by the terms of this Chapter.

CAPACITY. The supply, treatment, storage and pumping capabilities of the municipal water utility system.

COMMERCIAL USER. Any utility customer operating as a business, whether for profit or non-profit, publicly owned facilities, facilities which have a combination of residential and commercial uses and any other utility customer who does not fit into another rate classification.

INDUSTRIAL USER. A customer of the utility that creates a product.

IRRIGATION USER. A commercial or industrial user of the utility using water for outdoor irrigation of landscaping, vegetation or crops.

LEASED ACCOUNT. Account associated with parks, golf courses, and ball fields leased from the city.

Project Types:

1. **REPLACEMENT PROJECT.** A project which replaces or repairs existing infrastructure with similar components having more or less the same capacity as the original.

2. **IMPROVEMENT.** A project which provides for increased capacity, or improved efficiency to existing systems. This type of project is located within the existing city service area or corporate limits.

3. **EXPANSION/ECONOMIC DEVELOPMENT.** A project which extends water infrastructure to provide services for new developments.

4. **RESIDENTIAL USER.** Any utility customer using water for domestic, residential purposes. Includes single family residences, multiple family residences, and mobile home parks without a master meter, but excludes nursing homes, group homes and other similar commercial ventures.

5. **RETAIL RATE.** The average of the four residential Tier rates.

6. **SERVICE AREA.** The geographic area in which the city currently provides an actual service. This contrasts with a planning service area in which the city may provide service in the future.

7. **UNIT.** One hundred cubic feet.

8. **UNIT TIER.** The range of units of water used subject to a specified charge.

9. **WHOLESALE RATE.** An amount equivalent to 85% of the retail rate.

13.04.010 Purpose of provisions.

The rules and regulations prescribed in this chapter are established for governing the waterworks of the city and the control of all persons doing any plumbing in and upon any of the mains, connections or appliances appertaining to the city waterworks.

13.04.020 Water furnished subject to provisions.

Any person applying for and receiving water from the waterworks system belonging the city, receives such water on the express condition that the water is taken subject to all rules and regulations prescribed by this chapter and penalties provided for any infraction of such rules and regulations.

13.04.030 Provisions not to be considered a contract.

The rules and regulations prescribed by this chapter shall not be considered as a contract between the city and any parties affected thereby in a manner as to prohibit the Council from altering or amending the same, or from establishing such additional and reasonable regulations as may from time to time appear to be necessary.

13.04.040 Utility construction code adopted.

There is adopted that certain code known as the Rapid City Utility Construction Code, dated October, 1978, which is filed in the office of the Finance Officer of the city.

13.04.050 Connection—Permit—Required.

It is unlawful for any person to lay any water service pipe or introduce into or about any building or any grounds any water pipes, or do any plumbing work in any

building or on any grounds for the purpose of connecting the pipes or plumbing, either directly or indirectly, to the city water mains, or make any additions to or alterations of any water pipes, water closet, stopcock or other fixtures of apparatus for the supply of any premises with water from the city water mains, without first obtaining a permit to do the work.

13.04.060 Connection permit.

Owners of property desirous of using water, either directly or indirectly, from the distributing pipes, within the corporate limits of the city, shall have a licensed plumbing contractor or licensed underground utility contractor make application, in writing, to the water and sewer department, such application to state the name of the owner, a description of the premises, the size of the tap, the kind of service pipe to be used, and the purpose for which it is to be used. Such application must be made at least 2 days before the work is to be commenced. A permit shall be issued after the application is approved by the Director of Public Works or his or her designee, and payment is made for a tap fee as provided for in this chapter.

13.04.070 Connection–Permit–Authority to refuse for failure to obey regulations.

If any plumbing or underground utility contractor plumber fails to obey all regulations set forth in this chapter, it shall be within the authority of the Director to refuse any more permits to the contractor until all violations have been correct.

13.04.080 Taps and connections to be made by city.

After permits have been issued pursuant to § 13.04.070, it shall then be the duty of the water and sewer department, upon due notice, to tap the distributing pipe as provided in this chapter. No person shall be permitted to tap or make connections, either directly or indirectly, with any of the distributing systems of the waterworks of the city, except through the department.

13.04.090 Tap–Fees.

A. At the time of making application for a permit under this chapter, the applicant shall pay to the city Finance Officer an additional sum to cover the cost of making the tap upon the water main as follows:

Tap Size	2009	2010	2011	2012	2013
1-inch tap	\$108	\$119	\$131	\$144	\$158
1 ½-inch tap	\$72	\$79	\$87	\$96	\$105
2-inch tap	\$72	\$79	\$87	\$96	\$105
Taps in excess of 2 inches, but less than 8 inches	\$300	\$330	\$363	\$399	\$439
Taps of 8 inches or greater	\$360	\$396	\$436	\$479	\$527

B. In addition to the above fees, any person using the service of the City's tapping machine and operator shall reimburse the city for any damage done to the equipment.

13.04.095 Water construction fees.

Upon recommendation by the director, the Common Council may by resolution impose water construction fees on individual properties in certain identified, unserved areas when properties in such service area are benefitted by the installation of a water main. All users in such service area shall pay an additional water construction fee prior to connecting to the water main. This water construction fee shall be in addition to the ordinary tap fees imposed by this chapter. The city may enter into agreements assigning the cost of installation of water mains to serve such service areas. The ordinance codified in this section implements authority granted in SDCL § 9-47-16.

13.04.100 Tap—Corporation stops, tapping sleeves and valves—Responsibility for furnishing.

For 1-inch taps, the city will furnish the corporation stops. Corporation stops, tapping sleeves, and valves for all taps larger than 1 inch shall be furnished by the individual or firm requesting the tapping permit and shall be of a type, grade and standard approved by the director of public works or his or her designee.

13.04.110 Tap—Maximum size.

The following sizes of taps in water mains shall not be exceeded:

<i>Pipe Size</i>	<i>Tap Size</i>
8"	1"

13.04.120 Tap—Location when more than 1 required.

Where more than 1 tap is required, the taps shall be placed at least 18 inches apart on the main, and in no case shall a tap be made closer than 24 inches from the face of the bell.

13.04.130 Corporate stops—maximum size.

No corporate stops will be inserted in the city mains smaller than 1 inch or larger than 2 inches in diameter. If a service larger than 2 inches is desired, it shall be a tapping sleeve and valve or a tee and valve with branch larger than 2 inches. All service saddles shall be furnished and installed by the individual or firm requesting the tap.

13.04.140 Plumbing and underground utility contractors—Return requirements.

All plumbing and underground utility contractors shall make full returns of the ordinary and special uses to which water is designated to be applied under any permit granted by the city, with a description of all apparatus and arrangements for using the water in every case, this return to be made within 48 hours after the completion of the work, to the Water and Sewer Department. For any misrepresentations or omissions in the statement of the work done or appurtenance set, through which there may be water used, the contractor may be suspended or his or her license may be revoked. The Department may refuse to make a tap for any contractor who has failed to make a return within 48 hours for previous taps or sewer connections.

13.04.150 Connections pursuant to Council resolution.

A. Whenever the Council shall deem it necessary to construct water service connections from the city main to the lot line in streets or alleys, a resolution shall be passed by the Council, requiring the property owner whose property has not been connected with a city water main to make the connection within a specified time, not less than 30 days from the passage of the resolution. The resolution shall contain a notice to owners, stating that work is to be done and the time allotted for completion of the work.

B. If the water connections are not built, laid and constructed in the same manner and within the time prescribed in the resolution, the Council may order the same to be done by the person as it may reasonably contract with, and at the expense of the owners of the lots and parcels of land benefitted by the connections. The actual cost, plus 10% shall be assessed upon such lots and parcels of land as provided by law for the assessment and collection of other special assessments.

13.04.160 Connections for fire protection.

When the proprietors of lumberyards, factories, halls, stores, hotels, or public buildings, regular customers of the waterworks, wish to lay larger pipes with hydrants and hose couplings, to be used only in case of fires, they will be permitted to connect with the street main at their own expense, upon the granting of a permit by the city engineer or his or her designee, and will be allowed to use the water for fire purposes only, free of charge, as long as such pipes are kept free from leaks and in good repair. All water lines laid for private free fire protection must meet all city criteria and specifications for water distribution systems.

13.04.170 Extension of public infrastructure to accommodate individual service connections.

Any extension of public infrastructure to accommodate individual service connections shall comply with Chapter 16.16 of the subdivision regulations. The cost for installation of water infrastructure within a new development is the sole responsibility of the subdivider except for oversize cost as provided for in § 16.16.100 of Chapter 16.16.

The city may, at the discretion of the Common Council, choose to pay for a portion of the cost to extend water infrastructure to a new development.

13.04.180 Turning water off after testing new installations required.

A. In no case shall any contractor or other person, after the completion and test of plumbing work, if it is the first introduction of service pipe, leave the water turned on to the premises. Notice shall be given to the Water Department within 3 days that the water has been turned off at the curb stop.

B. If the regulation set out in subsection A. of this section is not complied with, the responsible licensed contractor shall be charged for 2,500 cubic feet of water per month plus demand charge as well as a sewer charge based on the amount of water and garbage service until the Water Department is notified that the water is turned off at the curb stop.

13.04.190 Cross-connections.

No plumbing or underground utility contractor or any other person shall make any cross-connection to the water system of the city with any other water system, supply from a well, cistern, or any other source whatever. Nor shall any such contractor or other person make any cross-connection to the water system of the city and any drain pipe, sewer pipe or septic tank.

13.04.200 Guarding excavations in connection with plumbing work.

No person doing any work under this chapter shall leave any excavation open, unless the same is properly guarded and barricaded. in the daytime, and in the nighttime it shall be further guarded by lighted red lanterns, flares or torches, which shall be kept lighted from half an hour after sundown until an hour before sunrise.

13.04.210 Responsibilities of persons doing street work relative to valve boxes, curb boxes, other appurtenances.

Any person doing any kind of work in the city streets shall be responsible for breaking of valve boxes, curb boxes, or any appurtenances connected with the water system. Any person placing any kind of paving or sidewalks is required to bring curb boxes or valve boxes to the top of the paving or sidewalk surface and to see that the boxes are free from dirt, stones or any other obstruction before paving material is placed.

13.04.220 Authority to restrict use of water for cooling or sprinkling.

All water used for air-cooling systems or street, lawn or garden sprinkling is subordinate to domestic use or fire protection, and may be restricted at any time, should a scarcity of water or an emergency of any kind so require.

13.04.230 Wasting water.

No person shall willfully and wantonly waste any metered water in the city.

13.04.240 Fraudulent connections.

It is unlawful for any person to make any connection or reconnection with any main or pipe used for delivery of water to the consumer, with intent to defraud.

13.04.250 Unlawful turning on/off or interference.

It is unlawful for any person, other than a duly authorized agent of the city, to turn on or off, or in any manner interfere with any valve, stopcock or other appliance connected with the waterworks system.

13.04.260 Taking of water from fire hydrants.

A. 1. No person other than authorized employees of the city shall open, close or operate any fire hydrant which is part of or connected to the city system.

2. Except as provided in subsection B. of this section, no person shall take any water from any fire hydrant which is part of or connected to the city system.

3. No person other than authorized employees of the city shall attach, remove or replace any hose, meter, backflow prevention device or other apparatus to or from any fire hydrant which is part of or connected to the city system; provided, nonetheless, that nothing in this section shall prohibit authorized employees of a contractor engaged in the work of constructing additions to the city system from making such connections to the system as are shown on approved plans prepared by a licensed professional engineer.

B. The Director of Public Works may authorize the taking of water from fire hydrants subject to the following conditions:

1. All water shall be metered through meters provided by and installed by the city, and shall be paid for at the rates provided by § 13.04.590A.

2. The public works director, with the approval of the Common Council, shall establish written policies for the taking of water from fire hydrants. Such policies shall include the types of proposed uses which will qualify for use of water from fire hydrants, the fees to be charged in connection therewith in addition to the rates for use of water, and such other matters as he or she shall deem appropriate.

3. Before any meter is installed and before any water is taken from the hydrant the customer shall pay to the city, at the time the account is opened, an administrative fee of \$500 to cover the cost of taking corrective action in the event of the failure of the

customer to comply with the provisions of this section. Upon closing the account the customer may have the administrative fee refunded if all city equipment is recovered undamaged and in good working order, the meter has not been removed or relocated by other than city employees, the account has been paid in full and in all other respects the use of the hydrant has been in full compliance with this section. The deposit shall not be construed as a prepayment for the use of water.

C. Individuals or firms may request a fire hydrant flow test. Fire hydrant flow tests must be scheduled with the City Utility Maintenance Division. These flow tests shall only be conducted by authorized city personnel. The Fire Hydrant Flow Test Fee is set forth below and includes payment for the water discharged during the test. This fee shall not apply to any city entity.

	2009	2010	2011	2012	2013
Fire Hydrant Flow Test Fee	\$75	\$83	\$91	\$100	\$110

13.04.270 Damaging fire hydrants, mains or connections–Notification of city–Payment of repair costs.

Any person damaging a fire hydrant or water main or any connection thereto shall notify the Water and Sewer Department or the Police Department at once, and the person responsible for the damage shall pay the cost of repairs or replacements.

13.04.280 Right of city to shut off service for purpose of making repairs, connections or extensions or cleaning.

A. The city reserves the right at any time to shut off the water on any main for the purpose of repairing, making connections, extensions or cleaning the same, and it is expressly provided that no claim shall be made against the city by reason of the break in service. The Water and Sewer Department, before shutting off water as provided in this section, shall give reasonable notice thereof to water users affected. In case of emergency, where the health and safety of the people are involved, the water may be shut off without notice.

B. Should a privately-owned water line break, the Water and Sewer Department may shut off all water supply to all water users on that line forthwith, and all water service may be terminated by the Department until the break is adequately remedied, as shown by Department inspection of the repair.

13.04.290 Shutting off water for failure to repair private sewer line or house service sewer line or to empty or repair septic tank.

If any person shall fail to promptly and properly repair any leaky, clogged or inadequate private sewer line or house service sewer line, or if any person shall fail to promptly and properly empty or repair any septic tank, after being notified by the

Director of utilities to do so, the supply of city water may be immediately shut off from the premises of all water users on the line and shall remain shut off until the necessary repairs have been made. The city shall not be liable for any damage resulting from the shutting off of water under this section, and no deductions shall be allowed from the regular water rates during the period that the water is shut off. The water supply shall not again be turned on to the premises until all work ordered by the Director has been satisfactorily completed and a fee established by the Council paid for turning the water off and on.

13.04.300 Liability for damages not affected by provisions.

This chapter shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling or installing any water service equipment or piping, for damages to persons or property caused by any defect therein or negligence in the handling thereof, nor shall the city be held as assuming any such liability by reason of the approval or disapproval by the city or any employee thereof, of any equipment or installations as authorized herein.

13.04.310 Denial of city liability.

The city will not be responsible for damages caused by the breaking of water meters or for any accidents resulting from variation in the water pressure or the hydraulic ram of the water in the mains.

ARTICLE II. SERVICE LINES

13.04.320 Contractor authorized to lay— Responsibility for expense—Indemnity of city.

A. All service lines from the city mains to the user's property must be laid and constructed by a licensed plumbing contractor or a licensed underground utility contractor at the expense of the owner of the property to be served.

B. All work to be done in laying of the service line from the main or other distributing pipe into the premises and all labor connected therewith by the provisions of this chapter, except the making of the tap itself, shall be done by or under the direction of a plumbing contractor or underground utility contractor licensed by the city, who shall be employed and paid by the owner or consumer and who shall at all times save the city harmless and indemnify the city against all accidents or damage to person or property arising from neglect in performance of the work.

13.04.330 Galvanized iron or lead pipes- Replacement required when in need of repair.

Water service lines from the city's mains to the building which are galvanized iron pipe or lead pipe connected in the city shall not be repaired. When the line requires

repair it shall be replaced with material specified in Utility Construction Code. The replacement shall be at the expense of the owner of the property served by the water service line.

13.04.340 Placement in relation to street.

The location of water service lines shall be in accordance with the city's standard specifications.

13.04.350 Extension from one premises to another.

Water service pipes must not be extended from one premises to another.

13.04.360 Depth.

Water service pipes shall in no case be laid at a depth less than 5 feet below the lowest part of the gutter of the finished street grade, except in the case of a lawn sprinkling system.

13.04.370 Inspection prior to covering.

No water service ditch shall be filled or service pipe covered until the same has been inspected by the Director of utilities or his or her authorized assistants, and all persons making the service shall give at least 5-hours notice to the Water of the time the service pipe will be ready for inspection, and it shall be the duty of the Director, within a reasonable time after the notice, to inspect the service and if, in his or her judgment, the service connections are properly connected and materials are of quality specified in this chapter, he or she shall give permission for the trench to be filled, but if he or she shall find the same to be improperly made, the work must be rectified and corrected according to his or her directions.

13.04.380 Curb and stop cocks.

A. There shall be a brass curb stop in each water service pipe. The stop shall be of the inverted round key type or O ring all bronze curb stop with O ring at top, bottom and in body on downstream port. The core must be plastic coated when manufactured, and be under the exclusive control of the Water and Sewer Department. The curb stop shall be placed in the pipe on the outer side of the sidewalk or at an alley line, where it is readily accessible at all times, and no person not a direct employee of the Water and Sewer Department shall open or close or otherwise interfere with the curb stop, unless he or she has written permission from the Department. In no case shall a curb stop be placed on private property.

B. There shall also be a stopcock in every cellar or basement served, of the compression stop and drain type, to enable consumers to turn water off in case of accidents to the pipes on the premises and to drain the pipes to prevent freezing.

- C. No drains shall be placed or maintained in curb stops.
- D. All curb stops must be of waterworks bronze.

13.04.390 Curb boxes.

All curb cocks shall be provided with a box or tube of approved pattern, and the top of each box or tube shall be placed on the level with the grade of the sidewalk, and no premises shall be supplied unless the box is in good order. In case of neglect or refusal of the occupant or owner to provide or repair the box within a reasonable time after being notified, the Water and Sewer Department may cause it to be done and charge the expense thereof, plus 10% to the water bill, or the water service may be discontinued until the curb box is repaired.

13.04.400 Cutoffs.

Each separate building or water consumer location must have its own separate cutoff placed at the outside edge of the sidewalk or in the alley; provided that, when 2 or more buildings are already supplied through 1 service connection and 1 cutoff, the service may be continued until separate service and cutoffs are ordered. If the water rent for any of the multiple buildings shall become delinquent and so remain for a period of 30 days, the water supply may be cut off from all of the buildings and shall not again be turned on until the delinquent rent and a penalty, as established by the Common Council, is paid; provided, further, that, for the rental units once shut off under the preceding provisions, the account shall be opened only in the name of the owners of the property unless a separate cutoff is provided at the owner's expense. The Water and Sewer Department may order separate service connections for any such building already supplied through one service if or whenever the city main has been laid in the street adjacent to the building.

13.04.410 Control valves.

On all private water lines serving more than 1 service line and connected to a city water main, there shall be installed, at the expense of the owner and under the direction of the Director of utilities, a control valve between the city water main and the lot line in addition to the regular curb box, so that the water may be shut off from the private line.

13.04.420 Responsibility of service pipes and fixtures.

A. The Water and Sewer Department will not be responsible for service pipes and fixtures. All service pipes and fixtures on the premises and up to the tap of the city main shall be installed and kept in good working order, and properly protected from frost and other danger, at the expense of the owner or person in possession of the premises served. If the owner or person shall fail to properly repair any leaky service pipe or other apparatus promptly upon receipt of due notice from the Director of Utilities, his or her assistants or any person authorized by him or her, the water may immediately be

shut off from the premises and remain shut off until the necessary repairs have been made and a fee as established by the Common Council for turning the water off and on has been paid. The city shall not be liable for any damage resulting from the breaking of any of the service pipes or apparatus, or for any other damage that may result from shutting off water for repairing or for any other purpose, or for any variation in pressure. No reduction will be made from the regular water rates because of leaking fixtures.

B. If a service line develops a leak between the main and the curb box on any service pipe and is not immediately repaired, the Director of Utilities may cause the service pipe to be repaired and assess the actual cost of the repair, plus 10%, to the property.

13.04.430 Discontinuing old lines.

A property owner who discontinues an old service line for any reason shall, at his or her own expense, have the same disconnected at the city main and, if he or she fails to do so, there shall be no water served to the premises. It shall be the duty of all plumbers and underground utility contractors, in the event they are hired to replace an old service, to disconnect any discontinued service lines serving the premises from the city main.

13.04.440 Use of electrical devices to thaw.

No person shall connect any electric welder, generator or other electrical device to any water service line for the purpose of thawing the frozen water in the line unless the water meter in the line shall have been removed and all electrical grounding connections and other electrical connections have been disconnected from the portion of the service line to which the device is connected.

ARTICLE III. METERS

13.04.450 One per service maximum—Auxiliary meters.

Except as otherwise provided in § 13.04.520, the supply of water through each separate service must be recorded by 1 meter only, for which only 1 bill will be rendered by the city. If additional or auxiliary meters are desired for recording the subdivision of each supply, they must be furnished and set by the owner or consumer at his or her own expense, and he or she must assume all responsibility of maintaining and reading the same.

13.04.460 Rental.

Anyone renting water meters from the Water and Sewer-Department will be charged at the following per day rates, to be charged from and including the first day to and including the last day of the rental period. No meter shall be rented for longer than

a 6-month period. Any damage to the meter, other than normal wear, will be charged to those renting the meters.

Meter Size	2009	2010	2011	2012	2013
5/8"	\$.12	\$.13	\$.14	\$.15	\$.17
¾"	\$.14	\$.16	\$.18	\$.19	\$.21
1"	\$.20	\$.22	\$.24	\$.27	\$.30
1½"	\$.42	\$.46	\$.51	\$.56	\$.62
2"	\$.60	\$.66	\$.73	\$.80	\$.88
3"	\$.72	\$.79	\$.87	\$.96	\$1.06
4"	\$3.00	\$3.60	\$3.96	\$4.36	\$4.79

13.04.470 Size determination.

The correct size of a water meter to be used on any service shall be determined by the Director of Utilities.

13.04.480 Location—Generally.

Wherever possible, water meters shall be placed in the cellar or basement of the building to be supplied with water, and provided with a stop and waste between the meter and the main; where existing premises have no cellar or basement, or where no suitable place for a meter is provided by the property owner, or where the department Water has been unable to make a meter reading for a period of not less than 2 consecutive billing periods, or at the property owner's request, the property owner shall be required to install a remote meter reading device, and shall be charged the established rate for the installation of the device; provided that,, the Director of Utilities may permit the location of meters in other places when, in his or her opinion, the meters will be safe from frost or other destructive conditions. No meter will be allowed in a pit under the floor of a dwelling unless there is a trap door directly over the meter pit.

13.04.490 User's responsibility for location and damages.

Each owner or water user must provide, at his or her own expense, a suitable place for the water meter safe from damage due to frost, hot water, steam or other causes. Where the meter is injured by freezing or use of a torch, or otherwise damaged by the act or neglect of the occupant of the premises, or of his or her agents or servants, the cost of repair or replacing the same shall be paid by the owner or occupant, and in case of neglect or refusal to pay the same on demand, the water supply may be turned off or the meter removed, or both, in which case the water shall not be again turned on until the cost and a penalty as established by the Common Council for turning off and on is paid.

13.04.500 Pits.

All water meters located outside of buildings must be placed in pits. All such meter pits shall be constructed by the property owner or water user according to plans and specifications furnished by the Water and Sewer Department and placed in the location selected by the Director of Utilities. There also must be a regulation curb stop in each meter pit.

13.04.510 Accessibility.

The owner or occupant of premises where a water meter or remote meter reading device is located shall see that the meter or device is kept free from obstruction on or around the same, and conveniently accessible during all reasonable hours of the day for the purpose of reading, inspecting or repairing such meter or device. If the consumer or property owner refuses to grant access to any water meter or remote reading device or refuses to keep free access to the water meter or remote reading device for the purpose of reading or checking by the Water and Sewer Department, the water may be shut off from the property and not turned on again until such violations have been corrected and the fee provided for in § 13.04.590 is paid.

13.04.520 Bypasses.

A. From and after the effective date of this section (May 28, 1980), no water meter shall be installed with a bypass unless such bypass is provided with a separate meter installed in parallel and separately valved in such manner as to permit removal of either meter without disrupting service. The charge for the second meter shall be the demand charge established in § 13.04.590B.

B. Existing installations of meters with closed sealed bypasses may continue to be used; however, if any seal on the bypass is broken, other than by authorized personnel of the Rapid City Water Department, the bypass shall be removed upon 15-days written notice by the city. The removal shall be a condition of continued water service.

13.04.530 Check valve between meter and hot water apparatus.

Where a water meter has been placed on a pipe connection to a boiler or other hot water apparatus, a check valve must be placed and maintained between such meter and the boiler or hot water apparatus, when so ordered by the Director of utilities, which valve shall protect the meter from back pressure of steam or hot water. In case the meter is damaged by hot water or steam, the owner or occupant of the premises shall pay for the damage.

13.04.540 Remote reading device.

A. All water meters shall be equipped with a remote reading device whereby the meter can be read without entering the building. The device shall be installed by the Rapid City Water Department on all water meters, the type of device and the date of installation to be determined by the City Engineer. The cost of installing the device shall be payable in the amounts set forth in the table below, which may either be paid in full or in monthly installments which will be billed over a period of 5 months. The first table shows the amount to pay the fee in full and the second table shows the alternative monthly charge. A consumer shall be billed at the monthly rate unless the consumer specifically requests to be billed for the entire amount. The city shall retain ownership of the device, and the device will be under the control of the city's Water Department at all times. The device shall be considered as part of the water meter servicing the property and shall not be removed or altered except by employees of the city. Where an outside meter reading device shall be installed for a nonresidential building and the cost of the installation exceeds the established charge, the property owner shall be required to pay an additional charge which will cover the additional cost of installation.

	2009	2010	2011	2012	2013
Total Installation Cost	\$18	\$20	\$22	\$24	\$26
Per month Installment	\$3.60	\$4.00	\$4.40	\$4.80	\$5.20

B. If the consumer or property owner refuses to grant access to the city to install a remote reading device, the water may be shut off to such property.

13.04.550 Testing.

Upon the written request of any owner or consumer, the Water and Sewer Department will test the water meter supplying the premises. A fee, as established in the table below will be required to be paid before the meter is disconnected. The fee will be returned if the meter is found to be registering in excess of two percent fast, otherwise the deposit will be retained to cover the cost of making the test. If the test of the meter shows that it fails to register correctly within two percent, the Water and Sewer department shall make a charge or allow a credit in proportion to the error, for all water registered in excess of the minimum amounts allowed by the established rates, the same to be retroactive for three billing periods only. If the meter is found to be registering within two percent, the meter may be returned to the premises at the Water Departments' discretion.

	2009	2010	2011	2012	2013
Testing Fee	\$60	\$66	\$73	\$80	\$88

13.04.560 Notice of breakage or stoppage.

In case of breakage or stoppage or any other irregularity in the water meter installed by the city, the owner or consumer shall immediately notify the Water and Sewer department .

13.04.570 Notice of removal.

When a person removes a water meter for any reason, the Water and Sewer department shall be notified immediately.

13.04.580 Breaking seal or bypassing prohibited.

Every person who shall break or deface the seal of any water meter or who shall obstruct or injure the action of any water meter, or who shall make any connection by means of a pipe, or otherwise, with any main or pipe used for the delivery of water to the consumer in such manner as to take water from the main or pipe knowingly without its passing through the meter, or who shall use any water so obtained, shall be guilty of a misdemeanor.

ARTICLE IV. SERVICE CHARGES

13.04.585 Service line inspection and new account fees.

The Service Line Inspection Fee as shown below shall provide an initial field inspection of the private water service line from the curb stop to the structure, mileage, administrative tracking and card drawing. Each additional inspection of the private water service line shall require the payment of a re-inspection fee as shown below.

	2009	2010	2011	2012	2013
Service Inspection Fee	\$65	\$72	\$79	\$87	\$95
Re-Inspection Fee	\$30	\$33	\$36	\$40	\$44

A new account charge for accounts within the city limits and a new account charge specific to accounts outside the city limits shall be paid for water turn-on service as set forth below. A surcharge shall be paid in addition to the turn-on charge if such service is requested to be performed during hours other than hours that the general offices of the city are open. An additional surcharge during normal hours and a surcharge specific to after hours shall be paid if the employees of the city are unable to turn on the water because of inability to obtain access through no fault of the city. Such surcharges are set forth below.

	2009	2010	2011	2012	2013
New Account within City Limits (Turn-On)	\$25	\$28	\$30	\$33	\$37

New Account outside City Limits (Turn-On)	\$30	\$33	\$36	\$40	\$44
Surcharge After Hours	\$60	\$66	\$73	\$80	\$88
No Access surcharge- Business Hours	\$17	\$19	\$21	\$23	\$25
No Access surcharge- After Hours	\$50	\$55	\$61	\$67	\$73

13.04.590 Rates prescribed.

A. All water taken from the waterworks system shall be metered or accounted for by a method approved by the Director of Public Works and shall be paid for monthly by the consumer named on the account, based upon monthly meter readings or estimates, at the following rates:

1. For water delivered to service lines through mains owned by the city for all Residential Users:

Starting with the February 2009 Water Bills	
Unit Tier	Rate per Unit
Tier 1	\$2.13
Tier 2	\$2.31
Tier 3	\$2.69
Tier 4	\$3.15
Starting in January 2010	
Unit Tier	Rate per Unit
Tier 1	\$2.34
Tier 2	\$2.53
Tier 3	\$2.95
Tier 4	\$3.45
Starting in January 2011	
Unit Tier	Rate per Unit
Tier 1	\$2.55

Tier 2	\$2.75
Tier 3	\$3.19
Tier 4	\$3.71
Starting in January 2012	
Unit Tier	Rate per Unit
Tier 1	\$2.83
Tier 2	\$3.03
Tier 3	\$3.47
Tier 4	\$3.99
Starting in January 2013	
Unit Tier	Rate per Unit
Tier 1	\$3.11
Tier 2	\$3.32
Tier 3	\$3.77
Tier 4	\$4.31

2. Unit Sales associated with the tiers shown above are billed according to the following tier structure:

a. Single Family Residential:

Meter Size	Tier 1 (Unit)	Tier 2 (Unit)	Tier 3 (Unit)	Tier 4 (Unit)
5/8"	0 -10	11 - 40	41 - 75	>75
3/4"	0 -10	11 - 40	41 - 75	>75
1"	0 -10	11 - 40	41 - 75	>75
1 1/2"	0 -10	11 - 40	41 - 75	>75
2"	0 -10	11 - 40	41 - 75	>75
3"	-	-	-	-
4"	-	-	-	-
6"	-	-	-	-
8"	-	-	-	-

b. Multi-Family Residential:

Meter Size	Tier 1 (Unit)	Tier 2 (Unit)	Tier 3 (Unit)	Tier 4 (Unit)
5/8"	0 – 10	11 - 40	41 - 75	>75
3/4"	0 – 15	16 - 45	46 - 80	>80
1"	0 – 20	21 - 50	51 - 85	>85
1 1/2"	0 – 50	51 - 100	101 - 150	>150
2"	0 – 100	101 - 150	151 - 200	>200
3"	0 – 150	151 - 200	201 - 250	>250
4"	0 – 200	201 - 300	301 - 400	>400
6"	0 – 200	201 - 300	301 - 400	>400
8"	0 – 200	201 - 300	301 - 400	>400

3. For all water delivered to service lines through mains owned by the city for all Commercial and Industrial users:

Starting with the February 2009 Water Bills	
Number of Units	Rate per Unit
All Units Used	\$2.21
Starting in January 2010	
Unit Tier	Rate per Unit
All Units Used	\$2.44
Starting in January 2011	
Unit Tier	Rate per Unit
All Units Used	\$2.68
Starting in January 2012	
Unit Tier	Rate per Unit
All Units Used	\$2.96
Starting in January 2013	
Unit Tier	Rate per Unit
All Units Used	\$3.22

4. Commercial and Industrial users purchasing water for irrigation use are required to install a separate Irrigation Meter. For water delivered to service lines

through mains owned by the city for all water measured by dedicated Irrigation and Leased Account meters:

Starting with the February 2009 Water Bills	
Unit Tier	Rate per Unit
Tier 1	\$2.31
Tier 2	\$2.69
Tier 3	\$3.15
Starting in January 2010	
Unit Tier	Rate per Unit
Tier 1	\$2.53
Tier 2	\$2.95
Tier 3	\$3.45
Starting in January 2011	
Unit Tier	Rate per Unit
Tier 1	\$2.75
Tier 2	\$3.19
Tier 3	\$3.71
Starting in January 2012	
Unit Tier	Rate per Unit
Tier 1	\$3.03
Tier 2	\$3.47
Tier 3	\$3.99
Starting in January 2013	
Unit Tier	Rate per Unit
Tier 1	\$3.32
Tier 2	\$3.77
Tier 3	\$4.31

5. Unit sales associated with the tiers shown above are billed according to the following tier structure:

Irrigation and Leased Accounts:

Meter Size	Tier 1 (Units)	Tier 2 (Units)	Tier 3 (Units)
5/8"	0 – 30	31 - 65	>65
3/4"	0 – 30	31 - 65	>65
1"	0 – 30	31 - 65	>65
1 1/2"	0 – 50	51 - 100	>100
2"	0 – 50	51 - 100	>100
3"	0 – 50	51 - 100	>100
4"	0 – 100	101 - 200	>200
6"	0 – 100	101 - 200	>200
8"	0 – 100	101 - 200	>200

6. An advanced payment, which shall be included in the first month's billing, and will be applied as a credit against the final bill, shall be charge for each account as follows:

Meter Size	2009	2010	2011	2012	2013
3/4" and smaller	\$30.00	\$33.00	\$36.30	\$39.93	\$43.92
Larger than 3/4"	\$120.00	\$132.00	\$145.20	\$159.72	\$175.69

7. For water delivered to service lines through the city or privately owned water mains outside the city limits or through mains owned by a governmental entity other than the city, the rates shall be established by contract.

8. Water sold to Ellsworth Air Force Base outside the city shall be negotiated between the city and Ellsworth Air Force Base.

9. Raw water:

At February 2009 Bill	\$.28 per unit
After January of:	
2010	\$.30 per unit
2011	\$.32 per unit
2012	\$.35 per unit
2013	\$.38 per unit

B. The monthly meter charge for Residential, Commercial, Industrial, Irrigation, and Leased Account users shall be as follows:

1. A Meter Charge, based upon the size of the water meter serving the user, shall be paid for by the owner of the premises served. As set forth below, this Meter Charge shall include a charge associated with operating and debt service expense plus a surcharge associated with an environmental fee. The environmental fee shall be applied to Residential, Commercial, and Industrial accounts only.

2. The environmental fee surcharge covers the tax imposed by the state as an environmental fee upon drinking water treatment systems.

a. Residential

Starting with the February 2009 Water Bills			
Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$6.75	\$.09	\$6.84
3/4"	\$7.49	\$.09	\$7.58
1"	\$9.12	\$.09	\$9.21
1.5"	\$12.66	\$.09	\$12.75
2"	\$17.88	\$.09	\$17.97
3"	\$38.72	\$.09	\$38.81
4"	\$55.07	\$.09	\$55.16
6"	\$95.16	\$.09	\$95.25
8"	\$144.20	\$.09	\$144.29
Starting in January 2010			
Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$6.92	\$.10	\$7.02
3/4"	\$7.68	\$.10	\$7.78
1"	\$9.37	\$.10	\$9.47
1.5"	\$13.01	\$.10	\$13.11

2"	\$18.39	\$.10	\$18.49
3"	\$39.85	\$.10	\$39.95
4"	\$56.69	\$.10	\$56.79
6"	\$97.98	\$.10	\$98.08
8"	\$148.50	\$.10	\$148.60

Starting in January 2011

Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$7.22	\$.10	\$7.32
3/4"	\$8.02	\$.10	\$8.12
1"	\$9.79	\$.10	\$9.89
1.5"	\$13.61	\$.10	\$13.71
2"	\$19.26	\$.10	\$19.36
3"	\$41.80	\$.10	\$41.90
4"	\$59.48	\$.10	\$59.58
6"	\$102.83	\$.10	\$102.93
8"	\$155.87	\$.10	\$155.97

Starting in January 2012

Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$7.22	\$.11	\$7.33
3/4"	\$8.02	\$.11	\$8.13
1"	\$9.79	\$.11	\$9.90
1.5"	\$13.61	\$.11	\$13.72
2"	\$19.26	\$.11	\$19.37
3"	\$41.80	\$.11	\$41.91
4"	\$59.48	\$.11	\$59.59
6"	\$102.83	\$.11	\$102.94
8"	\$155.87	\$.11	\$155.98

Starting in January 2013			
Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$7.28	\$.11	\$7.39
3/4"	\$8.09	\$.11	\$8.20
1"	\$9.87	\$.11	\$9.98
1.5"	\$13.74	\$.11	\$13.85
2"	\$19.44	\$.11	\$19.55
3"	\$42.20	\$.11	\$42.31
4"	\$60.06	\$.11	\$60.17
6"	\$103.85	\$.11	\$103.96
8"	\$157.42	\$.11	\$157.53

b. Commercial and Industrial:

Starting with the February 2009 Water Bills			
Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$7.06	\$.09	\$7.15
3/4"	\$9.12	\$.09	\$9.21
1"	\$13.30	\$.09	\$13.39
1.5"	\$23.50	\$.09	\$23.59
2"	\$36.19	\$.09	\$36.28
3"	\$69.76	\$.09	\$69.85
4"	\$111.58	\$.09	\$111.67
6"	\$215.77	\$.09	\$215.86
8"	\$341.22	\$.09	\$341.31
Starting in January 2010			
Meter Size	Monthly Meter Charge	Environmental Fee	Final Monthly Meter Charge

	Charge	Surcharge	
5/8"	\$7.06	\$.10	\$7.16
3/4"	\$9.12	\$.10	\$9.22
1"	\$13.30	\$.10	\$13.40
1.5"	\$23.50	\$.10	\$23.60
2"	\$36.19	\$.10	\$36.29
3"	\$69.76	\$.10	\$69.86
4"	\$111.58	\$.10	\$111.68
6"	\$215.77	\$.10	\$215.87
8"	\$341.22	\$.10	\$341.32

Starting in January 2011

Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$7.19	\$.10	\$7.29
3/4"	\$9.28	\$.10	\$9.38
1"	\$13.55	\$.10	\$13.65
1.5"	\$23.95	\$.10	\$24.05
2"	\$36.90	\$.10	\$37.00
3"	\$71.14	\$.10	\$71.24
4"	\$113.79	\$.10	\$113.89
6"	\$220.06	\$.10	\$220.16
8"	\$348.03	\$.10	\$348.13

Starting in January 2012

Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$7.19	\$.11	\$7.30
3/4"	\$9.28	\$.11	\$9.39
1"	\$13.55	\$.11	\$13.66
1.5"	\$23.95	\$.11	\$24.06

2"	\$36.90	\$.11	\$37.01
3"	\$71.14	\$.11	\$71.25
4"	\$113.79	\$.11	\$113.90
6"	\$220.06	\$.11	\$220.17
8"	\$348.03	\$.11	\$348.14
Starting in January 2013			
Meter Size	Monthly Meter Charge	Environmental Fee Surcharge	Final Monthly Meter Charge
5/8"	\$7.19	\$.11	\$7.30
3/4"	\$9.28	\$.11	\$9.39
1"	\$13.55	\$.11	\$13.66
1.5"	\$23.95	\$.11	\$24.06
2"	\$36.90	\$.11	\$37.01
3"	\$71.14	\$.11	\$71.25
4"	\$113.79	\$.11	\$113.90
6"	\$220.06	\$.11	\$220.17
8"	\$348.03	\$.11	\$348.14

c. Irrigation and Leased Accounts

Starting with the February 2009 Water Bills	
Meter Size	Final Monthly Meter Charge
5/8"	\$14.95
3/4"	\$17.36
1"	\$22.53
1.5"	\$34.28
2"	\$50.44
3"	\$106.66

6"	\$285.80
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Starting in January 2010	
Meter Size	Final Monthly Meter Charge
5/8"	\$24.71
3/4"	\$28.82
1"	\$37.60
1.5"	\$57.57
2"	\$85.05
3"	\$180.62
4"	\$268.44
6"	\$485.15
8"	\$748.62
Starting in January 2011	
Meter Size	Final Monthly Meter Charge
5/8"	\$41.79
3/4"	\$48.85
1"	\$63.96
1.5"	\$98.30
2"	\$145.57
3"	\$309.94
4"	\$461.00
6"	\$833.74
8"	\$1,286.90
Starting in January 2012	
Meter Size	Final Monthly Meter Charge
5/8"	\$60.14
3/4"	\$70.38

1"	\$92.29
1.5"	\$142.08
2"	\$210.62
3"	\$448.97
4"	\$668.00
6"	\$1,208.48
8"	\$1,865.55
Starting in January 2013	
Meter Size	Final Monthly Meter Charge
5/8"	\$77.88
3/4"	\$91.20
1"	\$119.67
1.5"	\$184.41
2"	\$273.51
3"	\$583.36
4"	\$868.10
6"	\$1,570.72
8"	\$2,424.92

C. *Water Rate Relief Program.* Residential water users can apply for a freeze on water monthly meter and unit charges. Eligibility for this program is based upon criteria outlined by the State of South Dakota Department of Revenue and Regulation Property Tax Division for the purpose of the Freeze on Assessments of Dwellings of Disabled and Senior Citizens Program. The Water Rate Relief program shall be administered through the City Public Works Department. The Director of Public Works shall have the authority to establish policies and procedures for administration of the program and to designate the program's calendar year. In order to qualify for the program an applicant must meet the following criteria:

1. Must either be 65 years of age or older or disabled as defined by the Social Security Act.

2. Income (Applicants Federal adjusted gross income including social security payments) guidelines:

- a. Single income household: Less than \$22,573.68

- b. Multiple income household (must include income of all household

members): \$28,217.10.

3. Applicant may own, rent, lease, or have a life estate in the property for which the freeze is applied for. Applicant must physically reside at the property. The water bill must be in the Applicant's name. If the residence has multiple units, but is served by only one service line or meter, the residents of the property are not eligible for the program. If each unit has its own meter the residents may be eligible for the program if they meet the other criteria. If the applicant owns or has a life estate in the property it must have a fair market value of less than \$154,950. If the applicant rents or leases the property the rent or lease payment must be less than \$900 for a single person or less than \$1,200 for a multiple income household.

If an applicant qualifies for the program their water and meter rates will remain the same for a period of one year or until the yearly renewal date. The applicant must reapply every year. If the fair market value of the applicants property or the rent paid by them exceeds the threshold amounts, they can still qualify for the program if they were qualified in the immediately preceding year and remain domiciled in the same residence.

D. The director shall, at the second meeting in May of each year, present to the Council an accounting of the status of the water utility and his or her recommendation regarding changes in the water use charge. If the Council determines that the rate increases according to the table in subsection subsections A and B of this section are not required, it shall resolve that the water rate increase shall be suspended for 1 year. In the years following the year in which the rate freeze was enacted, the rate shall automatically increase to the next higher incremental rate unless the Council resolves otherwise.

E. No funds collected pursuant to charges imposed by subsections A. and B. of this Section shall be spent for other than waterworks expenditures.

F. A portion of the funds collected pursuant to charges imposed by subsections A. and B. of this section shall be spent on construction for water system replacement, improvement, and expansion/economic development type projects as defined in § 13.04.005. Funding will be allocated for replacement and improvement type projects in the water construction department 933. Funding will be allocated for expansion/economic development projects in department 934.

13.04.600 Water conservation measures established.

For the purposes of conserving water and protecting limited supplies and facilitating the economical production of municipal water the following measures are established and shall be enforced:

A. 1. No outside watering, including lawn, tree and garden irrigation, shall be permitted during the months hereinafter specified. Outside watering shall be allowed

between the hours of 6:00 p.m. and 9:00 a.m. according to the following schedule: Outside watering shall be allowed during the designated hours at addresses bearing an even number on days of the month bearing an even numbered date and may be allowed at addresses bearing an odd number on days of the month bearing an odd number; no outside watering shall be allowed on the thirty-first day of any month.

a. Normal Status. The aforesaid measures shall apply during the months of June, July and August of each year.

b. Concern Status. During such time as Pactola Reservoir contains less than 48,950 acre feet of water or the inflow to Pactola Reservoir is less than 90% of the mean monthly average, the aforesaid measures shall apply from April 1 through September 30.

c. Alert Status. During such time as Pactola Reservoir contains less than 26,950 acre feet of water or the inflows to Pactola Reservoir are less than 50% of the mean monthly average, the aforesaid measures shall apply throughout the entire year.

d. Critical Status. During such time as Pactola Reservoir contains less than 13,750 acre feet of water or the inflows to Pactola Reservoir are less than 25% of the mean monthly average no outside watering, regardless of hours or days, is permitted.

2. The public works Director shall notify the Council monthly of the level of Pactola Reservoir and the inflows to Pactola Reservoir. Based upon the information provided by the public works Director the Council shall determine which condition exists. If the Council shall determine that the status of the reservoir or the inflows has changed to a different level from its previous determination it shall publish notice of its new determination in the legal newspaper and shall make such news releases as it may find appropriate to inform the public of such change in status and the restrictions which shall then apply.

3. Nothing herein shall prohibit manual watering with a handheld hose or with a bucket, sprinkling can or other similar container.

4. The prohibition against outside watering applies only to watering with water taken from the city's water system or a system supplied from the city water system.

B. During such time as the Council shall determine that Pactola Reservoir contains less than 13,750 acre feet of water or that the inflows to Pactola Reservoir are less than 25% of the mean monthly average for that month there is imposed a conservation surcharge, in addition to the charges made under § 13.04.590 of this code, upon the use of water from the waterworks system for residential water accounts at the rate of \$1 per 100 cubic feet of water in excess of the following monthly amounts:

1. For single-family residences for which such data is available, the average monthly water consumption for meter readings taken during the preceding January, February and March;

2. For all other residential properties, eight hundred cubic feet multiplied by the number of dwelling units served under such account.

13.04.610 Exception to metered service.

A. When Temporary Service Approved. All structures requiring water services shall be metered, the only exception being, where conditions for a metered installation are unacceptable. When such conditions exist, a temporary service may be approved by the Department. Should a temporary service be approved, such service shall not exceed 180 days from the date of issuance. Should circumstances warrant, the water superintendent may grant extensions 30 days in length.

B. Application. Temporary water service accounts may start immediately upon approval by the Water Department of the installation of the water service line. The person making application through the Water Department or building inspection Department will be required to sign an agreement of responsibility for payment of water account prior to the opening of a temporary water account. The water service line shall not be installed or connected to the city's water system unless the agreement of responsibility for payment of the water account has been signed.

C. Fee-Billing. The amount charged for a temporary account will be a flat rate as set forth in the table below. These charges shall be billed monthly until the meter is installed and a regular water account is established. A meter will only be installed upon approval of the plumbing installation by the city Building Inspection Department.

	2009	2010	2011	2012	2013
Temporary Account Fee	\$25	\$28	\$30	\$33	\$37

13.04.620 Mobile home courts.

Water service shall be provided to mobile home courts within the limits of the city as follows:

A. Water shall be provided to the mobile home court as a single account subject to the Wholesale rates prescribed by§ 13.04.590 and subject to all other ordinances, resolutions, and conditions relating to water service and the use of water from the water works system.

B. Alternatively, the owner of a mobile home court may, with the approval of the city, elect to have each dwelling unit within the mobile home court treated as a separate account. Minimum conditions to qualify for this alternative billing method shall include a single water meter at the junction of the city line and the water distribution system of the mobile home court, separate meters with remote reading devices to measure the water used at each dwelling unit within the mobile home court, a curb stop to allow termination of service to each individual residential unit within the mobile home court, and written authorization for the city and its agents to enter upon the mobile home court for the purpose of reading meters and connecting or disconnecting water service to individual dwelling units within the mobile home court. The owner or agent of the mobile home court shall remain liable, as a single account consumer, for any water entering the water system of the mobile home court and not accounted for by individual meter reading.

C. Alternatively, with the approval of the city, a mobile home court may obtain water service in accordance with the ordinances, resolutions and regulations established by the city with the exception that the water rate to be charged for such water service shall be established by contract. Such contract shall include the full amount for the rate established by subsection C. of § 13.04.590 plus the amount established by subsection 13.04.590A.1. adjusted in an equitable amount to offset the saving to the city from not being required to maintain the distribution system within the mobile home court. The rate to be established by contract shall be within the sole discretion of the Council.

13.04.630 Billing generally.

A. Billing for water service shall be made on a monthly basis with such monthly date to be determined by the Finance Officer. The water bill shall be based upon the monthly reading of water usage, except as provided in § 13.04.640, and such bills shall be payable at the City Finance office or at an authorized bank depository by automatic withdrawal upon a written agreement with the city. Net monthly utility bills are due and payable when received. Any utility bills unpaid 23 days after the billing date shall be considered delinquent. A late payment charge of 1-1/2% or a flat rate charge of \$5, whichever is the greater amount, shall be assessed on the current unpaid balance of a delinquent account.

B. A water account opened after the first or closed before the last day of a monthly billing period as established by the city finance officer, when such account uses less than the monthly minimum provided in § 13.04.590, shall be billed on a prorated daily basis, with each month considered to be 30 calendar days.

13.04.640 Billing when meter not read.

A. If the water Department is unable to obtain access to a premises or dwelling for the purpose of reading a water meter or remote meter, for any reason whatsoever, or if a meter or remote meter fails to register the amount of water passing through it, for

any reason, a monthly bill will be issued based upon the last actual meter reading obtained from such premises or dwelling. If an actual meter reading is not available, an estimate of 860 cubic feet will be billed.

B. The proper adjustment will be made when the meter reading is obtained. In no case will any such bill be issued more than 3 months consecutively. If any meter reading is not obtained at the end of any such 3-month period, the water will be turned off after leaving notice by door card at the address of the consumer account that such water service will be shut off within 48 hours, exclusive of Saturdays, Sundays and legal holidays, until such meter reading is obtained, and the water shall not be turned on again until a charge established by the common Council is paid for turning water off and on.

13.04.650 Adjustment of bill in case of leaks.

A. If any adjustment is requested on any water bill based upon a consumer's proof of leaks in piping unknown to the consumer, during the preceding month, plumbing fixtures excluded, the adjustment shall not be more than 50% of the bill after the minimum charge has been deducted, and no adjustment shall be made on more than 1 month out of any monthly periods. Reasonable proof of leaks must be established before any adjustment will be made.

B. If any adjustment is requested on any water bill based upon a consumer's proof of a faulty metering device, and if such device has not been tampered with, the adjustment may be made based upon prior normal usage for that account prior to the time the metering device became faulty.

13.04.660 Failure to pay.

A. If charges prescribed by this chapter are not paid within 45 days from billing date, the water may be shut off. Ten days prior to terminating the water service, a notice of intent to terminate the service will be mailed to the customer along with the procedures to contest the termination. The water shall not be turned on again until all current and delinquent unpaid charges are satisfactorily resolved, together with a service call charge as set forth below. If such services are requested to be provided outside normal city office hours, a service call charge specific to outside office hours, as set forth below, shall be paid. If a water serviceperson, called upon to shut off the water at a premises, arrives at the premises and the current and delinquent unpaid charges are satisfactorily resolved, together with a service call charge of \$30, the water to the premises shall not be shut off. All moneys on account will be credited to the oldest part of the bill first.

	2009	2010	2011	2012	2013
Service Call Charge	\$30	\$33	\$36	\$40	\$44

Outside Office Hours Service Call Charge	\$50	\$55	\$61	\$67	\$73
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B. No person shall turn on the water to any premises from which the water has been turned off as provided for in this section, without written authority from the water and sewer department.

C. If it is necessary to dig up the curb stop or corporation stop or shut off water for nonpayment of the water bill, the cost of work shall be added to the water bill in addition to all other charges.

CITY OF RAPID CITY

Mayor

ATTEST.



Finance Officer

(SEAL)

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