

RULES AND REGULATIONS RESOLUTION
RESOLUTION 2 - 16

A RESOLUTION ADOPTING RULES FOR THE DELIVERY OF SERVICES BY THE
MUNICIPAL WATER WORKS SYSTEM OF THE CITY OF MILFORD, IOWA.
THIS REPLACES RESOLUTION 7-13

WHEREAS, pursuant to an election held on the 11th day October, 1909, there has heretofore been established a municipal waterworks system in and for the City of Milford, Dickinson County, Iowa hereinafter referred to as the ("CITY"); and

WHEREAS, pursuant to an election held on the first day of February, 1934, there has heretofore been established a municipal waterworks system in and for City of Milford, Dickinson county, Iowa; and

WHEREAS, pursuant to an election held in the year 1935, the management and control of the "MILFORD MUNICIPAL UTILITIES" WATER SYSTEM has since been in the hands of a Board of Trustees (hereinafter referred to as the "Board"); and

WHEREAS, pursuant to an election held in July of the year 1996 the Board of Trustees was increased in membership from three members to five members; and

WHEREAS, The Board of Trustees of the "MILFORD MUNICIPAL UTILITIES" WATER SYSTEM of the City of Milford, Dickinson County, Iowa (hereafter called the UTILITIES") has undertaken to construct improvements and extensions to the municipal waterworks system;

NOW, THEREFORE, be it resolved by the Board of Trustees of the MILFORD MUNICIPAL UTILITIES water system of the City of Milford, Dickinson County, Iowa, as follows:

1. The owner of property which is to receive water service, or tenant in possession of such property, or the agent of the owner or tenant in possession, hereinafter called the ("CUSTOMER"), must make written application for water service at the MILFORD MUNICIPAL UTILITIES OFFICE upon a form provided by the Utilities. No service shall be provided to any new customer until such customer has made an application as herein required. Neither the application for service, nor service itself is assignable by a customer.

Customers shall report to the Utilities any additions to their property or fixtures, which will increase or change the use or consumption of water by the customer. Such changes may result in the need for the customer to make additional application to the Utilities.

2. All taps and connections to the mains of the utilities shall be made by or under the direction and supervision of water department personnel and constructed in accordance with the provisions of this resolution. All fees for these services shall be paid in advance at the Utilities office before any tap or any other work shall begin. Fees are established by resolution of the Board of Trustees.

In the event the cost of tapping material increases, this increase shall be passed on to the customer as an additional charge without need to amend this resolution.

3. In the event water service is to be provided to residential, commercial, industrial or other development, subdivision or area of new construction, the Developer shall install at its expense any main needed to service any such area and Type K Copper service from the Utilities' main to the lot or easement line, including the necessary tapping saddle, fittings and curb stop box. Each individual customer shall install at its expense that portion of the Type K Copper service from said lot or easement line to the house, building or other premises which is to receive water service, including a stop and waste cock at the end of the building, house or structure side of the service line.

The developer who installs any main under this provision of this resolution will, after acceptance of the main by the Utilities, give the main to the Utilities at no charge. All service lines and appurtenances from the main to the meter shall be and remain the property of the customer.

4. The minimum earth cover over all customer service lines shall be six and one-half (6.5) feet. The water department shall determine the size of service to be installed at any customer location. For purposes of this resolution the service line is defined as the water line running from the main to the water meter. The tapping saddle and the corporation are part of the service line. It is the responsibility of the customer to keep the service line in good repair at all times. Service lines shall be constructed of the following materials and in accordance with this resolution and/or the State plumbing Code-Copper-ASTM specifications B-88 for type K seamless annealed.
5. Water service may be discontinued or an application for service canceled by the Utilities for any of the following reasons:
 - (a) Failure to get proper locates of the Utilities in the construction area. Phone One Call at 811 or 1-800-292-8989.
 - (b) Misrepresentation in the application as to the property or fixtures to be supplied or use to be made of water.
 - (c) Failure to report to the Utilities any addition to the property or fixtures to the supplies or additional use to be made of water.
 - (d) Resale or giving away of water in violation of this resolution.
 - (e) Waste or misuse of water due to improper or leaking service pipes or fixtures, or failure to keep same in suitable state of repair.
 - (f) Tampering with meter, meter seal, outside reader, service valves, or permitting such tampering by others.
 - (g) Making connection, cross-connection, or permitting connection or cross connection, to any separate water supply.
 - (h) Failure to pay for water used.
 - (i) Violation of any condition of service.
 - (j) Any action by the customer, which endangers public safety or health.
6. A customer may voluntarily discontinue water service to any premises for periods in which the house, building or other structure so serviced is not used for human occupancy, employment, recreation or other purposes. Any customer desiring to discontinue the water service to a premises for this reason must give notice of discontinuance in writing at the business office of the water system, otherwise, the customer shall remain liable for all water used and service rendered by the utilities until said notice is received by the Utilities. There shall be a reconnection fee charged to a customer who has discontinued water service and then asks to have it reconnected. This fee is established by resolution by the Board of Trustees. The customer shall hire a plumber to turn the water off and drain the water pipes prior to disconnection.
7. In the event of disconnection from the system for any reason the Milford Water Department will be responsible for removal of the water meter. If it becomes necessary for the Milford Water Department to turn the curb stop on or off, the Department assumes

no responsibility for any damages that is a result of turning the water on or off. If it becomes necessary to remove the water meter, the meter seal shall be removed by the Milford Municipal Water Department.

8. Bills and notices relating to the conduct of the business of the utilities will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the Utilities; and the Utilities shall not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from non payment of a bill or from any performance required in said notice.
9. Bills for water service are due and payable at the business office of the Utilities, or to any designated agent, on their date of issue. Bills will be mailed on the last day of each month. The past due date shall be the twentieth, (20) day after the date of issue. All bills not paid on or before the past due date shall be termed delinquent. A penalty of 1 ½% will be charged on all delinquent accounts. The Utilities shall serve the customer a written final notice of said delinquency informing the customer that water service will be discontinued if payment is not made within twelve days of the date of written notice. If a delinquent bill is not paid within twelve (12) days after date of such final notice, the water supply to the customer may be discontinued without further notice. Meters will be read monthly on or around the 20th of each month.
10. For purposes of the End User Service Charge, the Board of Trustees has defined End User as:

A person or property with water service that ultimately uses or is intended to use water originating from the Milford Municipal Utilities' Water System.

An End User water service is a pipe or water line from the water main and appurtenances on the main to the water meter, including the curb stop and corporation cock at the end of the water line into a structure, building or other premise which is to receive water.

End User Water service availability is determined by having water pressure on from the water main to the water meter or the curb stop in the lot or easement, in a structure, building or premise. If the structure, building, or premise is gone and the water is turned off at the curb stop, water service is still available to such lot. To remove End User water service availability to a structure, building, or premise, water has to be discontinued at the water main with the removal of said customer's appurtenances, corporation stop and or tapping saddle, and repaired with a stainless steel repair sleeve at the cost of the End User.
11. Where the water supply to a customer has been discontinued for non payment of delinquent bills, a charge will be made for reconnection of water service, but the reconnection will not be made until after all delinquent bills and other charges, if any, owed by the customer to the Utilities have been paid. The reconnection has been established by the Board of Trustees by resolution.
12. The Utilities reserves the right to request a deposit to be placed with the Utilities for the purpose of establishing or maintaining any customer's credit. The deposit required is established by resolution of the Board of Trustees. This fee shall be returned to the customer after one year, at an interest rate of 0%, if all bills are paid by the 20th of the month.
13. Water meters shall be maintained and renewed by and at the expense of the Utilities, except in the event that the meter has been frozen the customer will pay for the repair or replacement of the meter.

14. The Utilities reserves the right to determine the size and type of meter used. If a customer requests a larger water meter, the added cost of a meter test for such a larger meter will be paid by the customer.
15. Upon the written request of a customer, the meter serving said customer shall be tested by the utilities. Such test will be made without charge to the customer if the meter has not been tested within twelve (12) months preceding the requested test, otherwise a charge equal to the cost to test will be made and then only if the test indicates meter accuracy within the limits of 1.5% (one and one half percent) slow or fast.
16. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed for billing purpose will be based upon an average of the prior six (6) months consumption, adjusted for unusual conditions of water service prevailing during the period in which the meter failed to register.
17. If for any reason the water meter is damaged, the customer is responsible and shall pay to the Utilities the cost of repairs to return the meter to working order or cost to replace the meter.
18. Water for building or construction purposes will be furnished by permit after application and payment of a deposit. The deposit amount is established by the Board of Trustees by resolution. The amount shall be determined by the Utilities based upon the size of the construction work contemplated. All water for building or construction purposes, as set forth in the permit, must pass through one single meter.
19. Water supplied to a construction site shall be discharged through a hose or pipe directly upon material to be wet, or into a barrel or other container, and in no case upon the ground or into or through a ditch or trench, except for back filling or water jetting. All use of water by other than applicant or the applicant must prevent use of water for any purpose or upon any premises not described in the application, or water service may be discontinued without notice.
20. The Utilities shall make all reasonable efforts to eliminate interruption of service, and when such interruptions occur will endeavor to re-establish service with the shortest possible delay. Whenever the service is interrupted for the purpose of working on the distribution system or the station equipment, all consumers affected by such interruption will be notified in advance whenever it is possible to do so. Such notification will be by a note on the premises or KICD & KUOO Radio Stations.
21. The Utilities shall in no event be held responsible for claims made against it by reason of the breaking of any mains or service lines, or by reason of any other interruption of the supply of water caused by the breaking of machinery or stoppage for necessary repairs; and no person shall be entitled to damages nor have any portion of payment refunded for any interruption of service which in the opinion of the Utilities may be deemed necessary.
22. Customers having boilers or pressure vessels, or both, receiving a supply of water from the utilities must have appurtenances to meet the 2013 Iowa State Plumbing Code for backflow protection on the water supply line to prevent contamination in case the water supply from the Utilities is discontinued or interrupted for any reason, with or without notice.
23. The premises receiving a supply of water and all service lines, meter and fixtures, including any and all fixtures within the said premises shall at all reasonable hours be subject to inspection by duly authorized employees of the utilities.

24. Special terms and conditions (including exceptions to the provisions of this resolution) may be made where water is used by the Utilities or the community for public purposes, including fire protection, parks and other recreation purposes or other governmental uses for the benefit of the community.
25. No person shall uncover, make any connections with or opening into, use, alter, or disturb the water system or appurtenances thereof without first obtaining a written permit from the Milford Municipal Utilities setting forth terms and conditions under which such activities may be undertaken.
26. There shall be two (2) classes of permit applications: one for residential service, and the second for commercial and industrial service. In either case, the owner or his agent shall make application on a special form furnished by the Milford Municipal Utilities. The permit application shall be supplemented by plans, specifications, or other information considered pertinent in the judgment of Milford Municipal Utilities personnel. There shall be a permit and inspection fee for a residential service connection as approved by Board Resolution. The permit and inspection fee for a commercial or industrial service connection shall be a reasonable amount determined by the Milford Municipal Utilities based on the size of the water meter or meters and an estimated amount of water usage, but, in no event, less than \$25.00 per building. Said permit and inspection fees shall be paid to the Milford Municipal Utilities at the time the permit application is filed.
27. If any loss or damage to the property of the Utilities or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the customer, member of the customer's household or guest, agent or employee of the customer, the cost of the necessary repairs or replacements shall be paid by the customer to the Utilities and any liability otherwise resulting shall be that of the customer.
28. Water furnished by the Utilities to residential customers may be used for domestic consumption by the customer, members of the customer's household, guest, invitees (including business invitees) and employees only. The customer shall not sell or give the water to any person except as provided under this resolution. This rule does not apply to industrial or commercial customers or to institutions or other entities that have made special contractual arrangements with the Utilities.
29. All underground piping, services and connections made under these rules or made to the water system, and all piping and connections made to residential customers shall meet the standards set forth in the American Water Works Association publication AWWA Standard for Underground Service Line Valves and Fittings, American Water Works Association effective January 1, 1990. All other plumbing connected directly or indirectly to the system by any retail customer, including residential, commercial and industrial customers shall comply with the State Plumbing Code, November 2013, as published by the Iowa Department of Health. Copies of both codes shall be kept at the Utilities offices and made available for public inspection.
30. Each customer shall grant or convey, or shall cause to be granted or conveyed, to the Utilities a permanent easement and right-of-way across any property owned or controlled by the customer wherever said easement or right-of-way is necessary in order for the Utilities to provide water facilities, lines or service to the customer.
31. The utilities will construct extension of its water lines to points within its service area but the Utilities shall not be required to make such installations unless the customer pays to the Utilities the entire cost of the installation. All line extensions shall be evidenced by a contract signed by the Utilities and the person advancing funds for said extension, but for such period as the Utilities remains indebted to the United States for loans in regard to

providing water service each contract shall be null and void unless approved by the Farmers Home Administration or its successor agencies. All decisions in connection with the manner of installation of any extension and maintenance thereof shall remain in the exclusive control of the Utilities and such extension shall be the property of the Utilities and no other person shall have any right, title or interest therein.

32. The Utilities may refuse service to persons, not presently customers, when in the opinion of the Utilities the capacity of the facilities will not permit such service. The Utilities may also refuse service to persons outside the city limits of the City of Milford unless those proposed customers agree to annex to the City when the Municipal limits of said city are adjacent to the proposed property to be served. Said agreement shall be filed with the Dickinson County Recorder's Office and shall become a part of the chain of title to said real estate and shall be binding on succeeding purchasers and assigns thereof. The Utilities may waive this requirement when service is given in return for needed easements.
33. Any excavation company that is hired by the MILFORD MUNICIPAL UTILITIES shall follow the laws established by the Department of Labor, Occupational Safety and Health Administration and have proof of insurance on file at the Milford Utilities Office.
34. Complaints concerning the operation of the water system may be made in writing. Staff shall respond to said complaints in writing within thirty days. Where a response will require more than thirty days the customer will be informed that the response will take more than thirty days. All responses may be appealed to the Board of Trustees by written notice directed to the Board within ten (10) days.
35. **METER COSTS.** The property owner of any new building, residential or commercial, shall pay the cost of the water & electric meter interface and its connections, be it radio or telephone automatic meter reading system.
36. **METER LOCATION.** On all new buildings, residential or commercial, the water meter shall be easily accessible to meter readers and repairmen. All installations shall include 3/4" conduit ran to the outside of the home next to the electric meter with 2 # 18 3-wire wires from the water meter. The meter interface unit for radio read will be placed in an accessible location next to the electric meter outside of the home. A telephone jack will be located within 3 feet of the water meter.
37. **METER REPAIRS.** Whenever a water meter or meter interface unit is found to be out of order the Superintendent shall have it repaired. If it is found that damage to the meter or the meter interface and its connections has occurred due to vandalism, carelessness or negligence of the property owner or customer, then the property owner shall be responsible for the cost of repairs. Service calls resulting from the above mentioned shall be billed to the property owner.
38. **RIGHT OF ENTRY.** The Superintendent shall be permitted to enter the premises of any customer at any reasonable time to read, remove, or change a meter and its location whenever it is deemed advisable to do so.
39. **METER SETTING.** The property owner shall pay or provide all necessary piping and fittings for proper setting of the meter including valves on both sides of the meter.
40. **ADDITIONAL WATER METERS.** The property owner shall pay the cost of any additional water meter and its necessary piping and fittings. All installations shall include 3/4" conduit going to the electric meter along with the required remote wires. If the conduit and wires can't be installed to the outside-required location, the property

owner shall pay the cost of a meter interface unit for radio or telephone at the location of the water meter, at the Milford Municipal Utilities discretion.

41. This resolution shall take effect and be in force from and after its passage, approval and posting as required by law.
42. These rules may be changed, amended or repealed at any time. Modification of fees or referenced codes or public standards may be made by addendum making reference to this resolution and portions hereof modified without reconsideration, amendment or republication of this entire resolution.

Passed by the Board of Trustees of the Milford Municipal Utilities of Milford, Iowa, this 11th day of January 2016 by the following vote.

Ayes: Keith Wurtz
Sue Prunty
Wanda Nelson
Mike Anderson
Kevin Wharton

Nays: none

Absent: none

Keith Wurtz, Chairman

ATTEST:

Secretary Paula Nordblad