

ORDINANCE NO. 084-064

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, ADOPTING WATER REGULATIONS; PROVIDING FOR DIRECTOR OF UTILITIES; UNLAWFUL ACTS; APPLICATION FOR CONNECTION; DISCONTINUANCE OF WATER SERVICE; REPORTED LEAKS; METERS; REPAIR OF WATER LINES; WATER CONSERVATION; WATER RATIONING; INSTALLATION OF CHECK VALVES; LIABILITY CLAUSE; PENALTY CLAUSE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. DIRECTOR OF UTILITIES: There shall be appointed by the Manager a Director of Utilities and such Director shall perform all duties placed upon him by the Manager and such other duties prescribed by the provisions of this Ordinance.

SECTION 2. UNLAWFUL ACTS. It shall be unlawful for any person to do, commit or assist in committing any of the following things or acts:

A) To open or close any fire hydrant, meter box cover or stop cock connected with the Waterworks System, or lift or remove the covers of any gate valves or shut-offs thereof, without the permission of the Director of Utilities, except in case of fire, and then under the direction of officers of the Fire Department.

B) To interfere with, destroy, deface, injure or wantonly force open any gate or door, or in any way whatsoever destroy, injure or deface any part of any engine house, reservoir, stand pipe, elevated tank, building or buildings, or appurtenances, fences, trees, shrubs or fixtures or property appertaining to the Waterworks System.

C) To go upon or ascend the stairway or steps, on any elevated water storage tank or stand pipe of the Waterworks System, except by permission of the Director of Utilities.

D) To place any telegraph, telephone, electric light pole or any obstruction whatsoever within three feet (3') of any fire hydrant.

E) To resort to any fraudulent device or arrangement for the purpose of procuring water for himself or others from private connections on premises contrary to the provisions of this Ordinance.

F) To place upon or about any fire hydrant, gate valve or curb cock connected with the Waterworks System any object, material, debris or structure of anykind, or to interfere in any manner whatsoever with any of the waterworks, or to turn on the water after service has been disconnected.

G) To park a vehicle within fifteen feet (15') of any fire hydrant.

H) To make or permit to be made any connections with the main or service pipes or the Waterworks System or to turn on or use the water of the System without first obtaining a permit therefor.

I) To remove any water meter or water meter lid that has been placed by the Town, or to in any manner change, interfere with or tamper with any water meter or water meter lid; providing that the provisions of this Section shall not apply to the employees of the Town when acting in their official capacity.

J) Whoever intentionally, by any means or device, prevents water from passing through any meter belonging to the utilities division or used in connection with the supply of water to any consumer by the utilities division to register the amount of water passing through the meter, or intentionally prevents a meter from duly registering the quantity of water supplied, or in any way interferes with its proper action or just registration, or without the consent in writing of the Director of Utilities of the utilities division intentionally diverts any water from any pipe or pipes of the utilities division or otherwise intentionally uses, or causes to be used, without the consent of the utilities division, any water produced or distributed by the utilities division, or any person who retains possession of or refuses to deliver any meter or other appliance loaned to him by the utilities division for the purpose of furnishing water through the utilities division shall be guilty of a misdemeanor.

The presence at any time of any device or pipes resulting in the diversion of water or prevention of its free passage and registration by the meter or diverting from the meter as above defined or resulting in the prevention of water from reaching the meter, or preventing the just registration of the meter or meters or the taking of any water except through a meter as above set forth, shall constitute prima facie evidence of knowledge on the part of the person owning or having custody and control of the room, building, place or premises where such device or pipe is of existence thereof and knowledge of such existence to the person who would be benefited by the failure of the water to be properly metered, and shall further constitute prima facie evidence of intention on the part of such person or persons to defraud, and

shall bring such person prima facie within the scope, meaning and penalties of this Ordinance. Any person violating the terms and provisions of this section shall be guilty of a misdemeanor.

K) It shall be unlawful for any person to place upon or about any fire hydrant, gate valve, manhole, curb cock, meter or meter box connected with any water pipe of the utilities division, any object, debris or structure of any kind, so as to prevent free access to the same at all times.

L) It shall be unlawful to build driveways, etc., in such manner as to expose any meter or fire hydrant to damage from traffic. Whenever the property owner requests the moving of any meter or fire hydrant, such cost shall be at the expense of the property owner.

SECTION 3. APPLICATION FOR CONNECTION: It shall be unlawful for any person to make any connection to the mains or pipes of the Waterworks System without first making application to the Town, stating fully the several and various uses for which water is wanted, giving the name of the property, the number of the lot and block, name of the street and house number. Upon the payment of the tapping fee, if the application is approved by the Director of Utilities, a permit will be issued. All fees and charges shall be paid for at amounts and rates fixed by resolutions of the Council.

SECTION 4. DISCONTINUANCE OF WATER SERVICE:

A) It shall be the duty of the owners or agency of property to which water is furnished by the utilities division to cooperate with the utilities division by promptly giving notice when such property becomes vacant, and if such notice is not given, the owner or agents of the property shall be liable for all water charges against such property until such notice is given or a new application is filed.

B) No service shall be furnished to any person who is delinquent in the payment of any bill for water or sewerage furnished on the premises to which water service is desired or to any other premises in the Town.

SECTION 5. REPORT LEAKS: It shall be the duty of all employees of the Town, including officers and members of the police force to report to

the Director of Utilities, upon blanks furnished for that purpose, any leaks or unnecessary waste of water that may come to their attention, also any violations of this Ordinance.

SECTION 6. METERS: All meters will become the property of the Town after installation. If the meter gets out of order and fails to register, the consumer will be charged at the average daily consumption as shown by the meter when in order. All water that passes through the meter shall be charged for, whether used or not.

- a. Each consumer of water living in a separate house must have a separate connection and meter for each house.
- b. Each water consumer shall make a meter deposit in at least the sum of twenty-five dollars (\$25.00). Should a twenty-five dollar (\$25.00) deposit be insufficient to pay an average monthly bill or if experience has proved that a customer does not pay utility bills promptly and as due, the Town may require the meter deposit to be in any sum deemed necessary to protect the Town. Such meter deposit may be applied to the payment of any water, sewer or garbage charge overdue to the Town. Any unused portion of the deposit shall be refunded to the consumer at any time service is discontinued.

SECTION 7. REPAIR WATER LINES: In the interest of water conservation, if at any time water lines and connections from the meter loop connection into the residence, house, business, yard or similar places become rusted out, broken or in general deteriorated, it shall be the duty of the owner of the premises to place his lines in a good and serviceable condition. The replaced and repaired lines must meet specifications laid down by the Town for original installations.

SECTION 8. WATER CONSERVATION: To reduce waste of a natural resource and to provide water for the citizens of the Town of Addison as economically as possible:

Business and residential units shall be encouraged to water lawn and landscaped areas as follows:

Even numbered units on even numbered days.
Odd numbered units on odd numbered days.

In the event of newly installed shrubs, lawns and landscaped areas, the odd-even requirement may be waived for a period of 30 days.

SECTION 9. WATER RATIONING: The Mayor, or in his absence, the Mayor Pro Tem of the Town, may when necessary to do so to protect the citizens of the Town, order a rationing system suited to the emergency then existing, by declaring an emergency. The Mayor or Mayor Pro Tem as the case may be, is specifically authorized to set the quantity, manner of use, and the hours and days when use of water shall be permitted.

SECTION 10. INSTALLATION OF CHECK VALVES: An approved check valve shall be placed on the property side of the water connection to prevent contamination of the water system.

In the event a check valve was not installed at the time service was obtained from the Town, after due notice in writing, the consumer shall have installed a check valve of the approved type or the water service will be terminated.

SECTION 11. LIABILITY OF THE TOWN FOR INTERRUPTED SERVICE: All persons having boilers, air conditioning equipment or other water consuming devices, which may become damaged due to interruption of water service, and which are supplied directly with Town water, do so at their own risk. The Town shall not be liable for any damage that may occur on account of the water being cut off for any purpose, or on account of the breaking of any pipe or fixture by pressure of the water from the Town mains.

The utilities department or the Director of Utilities thereof shall not be responsible, nor shall the Town be liable for any damage by water resulting from defective plumbing, broken or faulty services or water mains, or from water being cut off, or resulting from any condition of the water itself or any substance that may be mixed with or be in the water as delivered to the consumer.

SECTION 12. PENALTY FOR VIOLATION OF ORDINANCE: Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subjected to, upon conviction, a minimum fine of \$20.00 and a maximum fine of \$200.00 for each offense. Each day that any such violation shall be permitted to exist shall constitute a separate and distinct offense.

SECTION 13. The fact that the present water ordinance is inadequate to properly safeguard the general public welfare, health and safety, creates an urgency and an emergency, and requires that this ordinance become effective immediately upon its passage and publication of the captioned as the law in such cases provides.

DULY PASSED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON,
TEXAS, this the 28 day of AUGUST, 1984.



MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM:



Published
9/2/84