

CITY COUNCIL AGENDA ITEM COVER MEMO

FOR AGENDA OF COUNCIL MEETING/WORK SESSION - DATE: December 3, 2015

ACTION REQUESTED BY: Huntsville Utilities

COUNCILMEMBER: ALL DISTRICT: ALL

SUBJECT MATTER: City Code Ordinance Revisions

EXACT WORDING FOR AGENDA: Introduction of an Ordinance amending Chapter 26, Article IV, Water Service, Division 4, Deposits, Section 26-581, Generally; Division 5, Meters, Section 26-607, Fire Protection and Fire Service Lines and Systems, Section 26-608, Tests; Division 6, Rates and Charges, Billing and Collection Procedures, Subdivision II, Billing and Collection Procedures, Section 26-641, When Consumers Billed, Section 26-644, Penalties; Division 7, Water Conservation Plan, Section 26-677, Mandatory Conservation Stage Implementation of the City of Huntsville Code of Ordinances. (Utilities: Water)

ORDINANCE: X RESOLUTION: MOTION:

(IF AMENDMENT, STATE TITLE AND NUMBER OF ORIGINAL): N/A

ITEM IS TO BE CONSIDERED FOR:

INTRODUCTION: X ACTION: DISCUSSION:

UNANIMOUS CONSENT REQUIRED?

BRIEFLY STATE WHY THE ACTION IS REQUESTED; WHY IT IS RECOMMENDED OR NOT RECOMMENDED; WHAT COUNCIL ACTION WILL PROVIDE, ALLOW, OR ACCOMPLISH; ANY ASSOCIATED COST; BUDGETED (?); AND ANY OTHER INFORMATION THAT YOU THINK MIGHT BE HELPFUL.

Update Ordinances to match current Customer Care practices.

MAYOR RECOMMENDS OR CONCURS? YES _____ NO _____ N/A _____

SIGNATURE: Jay C. Stowe, President & CEO

DATE: November 24, 2015

Ordinance No. 15-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that Chapter 26, Article IV (Water Service) of the Code of Ordinances, City of Huntsville, Alabama, is hereby amended to read as follows:

ARTICLE IV. - WATER SERVICE

DIVISION 4. - DEPOSITS

Sec. 26-581. - Generally.

A cash deposit or suitable guarantee, as approved by the waterworks utility board, not exceeding twice the highest bill, may be required of any customer or person before water service is supplied. The waterworks utility board may enter into an agreement with the electric utility board and the gas utility board to establish a combined utility deposit; to establish a minimum deposit for all types of service and to distribute the proceeds from these deposits. Interest may be accumulated on these deposits from October 1, 1973, at a rate as may from time to time be determined by the boards and will be added to the deposit at the time service is terminated. The deposit, plus accumulated interest, may be applied against any unpaid bills of the customer; and if any balance remains after such application is made, such balance shall be refunded to the customer.

(Code 1982, § 23-81)

DIVISION 5. - METERS

Sec. 26-607. - Fire protection and fire service lines and systems.

(a)

Establishment. Fire hydrants, fire sprinkler systems, hose racks and fire prevention systems may be established on private property by its owner at his own cost for pipe, valves, fittings and connections to water mains, etc. The work shall be done under the supervision of the water or fire department and the maintenance of such mains, valves and hydrants shall be at the cost and expense of the owner of the property. The regular, established rate for such connection for such fire hydrants, fire sprinkler systems, hose racks and fire prevention systems shall be paid and, if not, it shall be disconnected.

(b)

Connection to water system. Any person establishing fire hydrants, fire sprinkler systems, hose racks and fire prevention systems

shall have the right to have them connected to the city's water system provided the owner pays to the water department, prior to installation and connection, the cost of the meter to be installed and prescribed and specified by the city water department. All work necessary for connection of such system and meters to the city water system shall be performed and done by the water department. No water is to be used from the fire hydrants, fire sprinkler systems, hose racks and fire prevention systems at any point on the line, except in case of fire; nor are any fixtures whatsoever to be connected with such fire line.

(c)

Charges. The owner of all fire hydrants, fire sprinkler systems, hose racks and fire prevention systems installed and connected to the city water system shall pay unto the city a monthly charge based on the current water rate schedule.

(d)

Restrictions on unmetered systems. The owner of all existing unmetered fire hydrants, fire sprinkler systems, hose racks and fire prevention systems located within the city and without the city, and connected to the city water system, shall keep and maintain such systems in such a manner as not to cause or allow leakage or waste of water; and if the owner of the system allows the fire hydrants, fire sprinkler systems, hose racks or fire prevention systems to consume or use water for any other cause or reason other than fire, the superintendent of the water department shall have the right and authority to disconnect the service and, prior to restoring or reconnecting such service, may cause or require the owner to comply with the provisions of sections 26-607(b) and 26-607(c), and, after restoring or reconnecting the service with a meter, to be subject to the payment of the charges as set forth in section 26-607(c).

(e)

No guarantee by city. The city guarantees no certain water pressure and shall in no case be in any way liable or responsible to any persons whatsoever in case of fire, for any damage that may result from any alleged insufficiency of such fire protection, either from want of pressure or volume, accessibility or for any other cause.

(Code 1982, §§ 23-102-23-104, 23-106, 23-107)

Cross reference— Fire prevention and protection, ch. 13.

Sec. 26-608. - Tests.

The city shall, at its own expense, make periodic tests and inspections of its water meters in order to maintain a high standard of accuracy. The city shall make additional tests or inspections of its meter at the request of any customer. If such tests show that the meter is accurate based on industry standards, no adjustment will be made in the customer's bill; and a charge may be established and collected to cover costs incurred. The charge for such services shall

be determined by the waterworks utility board of the city. An adjustment shall be made to the customer's bill over a period of not more than 30 days prior to the date of any test demonstrating that the meter was inaccurate based on industry standards; and the cost of making such test shall be borne by the city.

(Code 1982, § 23-108)

DIVISION 6. - RATES AND CHARGES; BILLING AND COLLECTION PROCEDURES

Subdivision II. - Billing and Collection Procedures

Sec. 26-641. - When consumers billed.

The city shall, as soon as practical after the meter is read, cause to be either mailed or electronically delivered to the customer a statement of water consumption furnished by the city or to the owner of the house, building or property where such water service is furnished. Such statement shall show the quantity of water consumed by the consumer for the preceding 30 days and the amount due. In the case of the first billing of new accounts and final billings of all accounts where the period covered involves fractions of a month, the availability charges shall be adjusted to a basis proportionate with the period of time during which service was furnished. Any consumer requiring service for a period not exceeding 30 days shall be required to pay the availability charge for one month, together with the rate for the water consumed.

(Code 1982, § 23-136)

Sec. 26-644. - Penalties.

A penalty of five percent on the first \$250.00 of the bill plus one percent on any portion of the bill exceeding \$250.00 shall be charged on all water bills based upon the rates set out in section 26-631 if such bill is not paid in full on or before the date shown on such bill. Payments that are due on a weekend or holiday will be due the next business day. *(Code 1982, § 23-139)*

DIVISION 7. - WATER CONSERVATION PLAN

Sec. 26-677. - Mandatory conservation stage implementation.

The water department of the City of Huntsville dba Huntsville Utilities shall monitor its pumping capacity and demand for water by

its customers on a daily basis during periods of hot and dry weather and shall determine the extent of conservation required through the implementation or termination of particular conservation stages in order for the City of Huntsville dba Huntsville Utilities Water Department to continue to supply adequate water to its customers. Thereafter, the general manager of Huntsville Utilities or his designate, may order the appropriate stage of water conservation be implemented or terminated in accordance with the applicable provisions of this division. This order shall be made by public announcement on the utility website and/or through social media. The order shall become effective immediately upon such publication and shall continue until such time as all restrictions are removed.

(Ord. No. 87-326, § 7, 8-13-1987)

BE IT FURTHER ORDAINED, this Ordinance shall become effective upon its adoption and approval.

ADOPTED this the _____ day of
_____ 2015.

President of the City Council of the
City of Huntsville, Alabama

APPROVED this the _____ day of
_____ 2015.

Mayor of the City of Huntsville,
Alabama