

**Title 13**

**PUBLIC SERVICES**

**Chapters:**

**13.04 Water and Sewer Service Administrative Provisions**

**13.08 Water and Sewer Service Use Regulations**

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## Chapter 13

### WATER AND SEWER SERVICE ADMINISTRATIVE PROVISIONS

#### Sections:

- 13.04.010 General provisions.
- 13.04.020 Authority.
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- 13.04.050 Limitation of liability.
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#### 13.04.010 General provisions.

A. The principal objective of our water and sewer facilities are to provide water and collect sewage from residential, commercial and industrial users to provide the required or justified degree of water and sewage treatment under the most favorable economical conditions. All rules and regulations contained herein together with such additions and amendments as may be hereafter adopted, and hereby designated as the "Ordinance Regulating the Use of the Public Water and Sewer Systems" sometimes referred to as the Ordinance.

B. The city clerk shall file certified copies of this Ordinance, as well as certified copies of any additions and amendments to this Ordinance as may hereafter adopted in the municipal records and with the city manger. The provisions of this Ordinance shall be reviewed at intervals not exceeding five years by the council with the objective of assessing the continued application of these provisions. The council shall consider

any recommendations proposed for improvements and to determine acceptable changes due to advances in the technical methods needed to provide water and sewer treatment. (Prior code T. 9, Ch. 2)

#### 13.04.020 Authority.

This title shall be administered and enforced by the city manager. The city council shall have the authority to establish the regular monthly utility rates for water supply and sewer collection services and connection fees for all domestic and commercial consumers by ordinance. (Prior code T. 9, Ch. 8, § 1)

#### 13.04.030 Inspection authority.

The city, its designated representative or representatives, is authorized to make inspections at reasonable times during daylight hours to determine satisfactory compliance with this title and regulations promulgated thereunder. (Prior code T. 9, Ch. 8, § 2)

#### 13.04.040 Additional regulations.

The city council shall adopt such additional regulations, provisions and procedures pertaining to water supply and sewer collection services as it deems proper. The city council shall have the authority to amend all regulations and provisions. (Prior code T. 9, Ch. 8, § 3)

#### 13.04.050 Limitation of liability.

The city water utility will exercise reasonable diligence and care to furnish and deliver a continuous and sufficient supply of pure water to the customer and to avoid any shortage or interruption of delivery of same. The utility will not be liable for high or low pressure conditions; chemical or

bacteriological conditions; interruption, shortage or insufficiency of supply; or any loss or damage occasioned thereby. The use of water upon the premises of the customer is at the risk of the customer, and the responsibility of the utility shall cease at the point of delivery of the water. In case of shortage of supply, the city or its utility reserves the right to give preference to uses which most highly serve the public convenience or necessity, which shall include, but not necessarily be restricted to, public health and welfare, fire and police protection. (Prior code T. 9, Ch. 8, § 4)

which declares conduct to be unlawful and which does not contain a specific penalty for such violation shall be punishable by a fine of not less than five hundred dollars. (Prior code T. 9, Ch. 24)

**13.04.060 Rates—On file.**

A current file of all rates adopted by the city council under this title shall be available for public inspection during regular business hours at the city office. (Prior code T. 9, Ch. 20, § 1)

**13.04.070 Shut-off for nonpayment.**

The water supply may be shut off to any premises for which the water or sewer bill remains unpaid for a period of sixty days after the bill is mailed. When shutoff, water shall not be turned on except by properly authorized representative of the city. (Prior code T. 9, Ch. 20, § 2)

**13.04.080 Funds—Accounting and disbursements.**

All moneys collected for water and sewage utilities will be separately accounted for by the city accountant and disbursed by action of the city council. (Prior code T. 9, Ch. 20, § 3)

**13.04.090 Violation—Penalty.**

Violation of any section of this title

## Chapter 13.08

WATER AND SEWER SERVICE USE  
REGULATIONS

## Sections:

- 13.08.010 Mandatory sewer connection.  
To protect the health and safety of the
- 13.08.020 Use of other water sources.
- 13.08.030 Disposal of sewage and liquid waste.
- 13.08.040 Connection—Cost—Regulations.
- 13.08.050 Application for connection.
- 13.08.060 Application—Approval when—Appeal when.
- 13.08.070 Installation of service lines.
- 13.08.080 Water and sewer service—Application—Fee.
- 13.08.090 Water—Unauthorized turn-on prohibited.
- 13.08.100 Regulation of individual systems.
- 13.08.110 Alterations—Approval required—Penalty.
- 13.08.120 Permits for construction or alteration of individual systems.
- 13.08.130 Consumer's responsibility.
- 13.08.140 Cold weather protection required.
- 13.08.150 Disconnection for misuse.
- 13.08.010 Mandatory sewer connection.

residents of the city, every property owner having property capable of being served by the city's sewer system shall enter into a contract with the city for sewer service; provided, that the property is occupied and that there is located on such property a sink, bathtub, toilet or similar wastewater-producing facility. The term "wastewater" as used in this title, means water with which there has been mixed any solid or liquid substance and with which thereafter is not consumed on the premises or removed therefrom in containers. Any property owner capable of being served by the sewer system who does not, within ninety days of the effective date of the ordinance codified in this chapter or within ninety days of the occupancy of any property not presently occupied, contract with the city for sewer service shall be fined not less than five hundred dollars. For purposes of this section any building located within two hundred fifty feet of the city's sewage line is capable of being served by the city's sewer system. (Prior code T. 9, Ch. 4, § 1)

## 13.08.020 Use of other water sources.

It is unlawful for any person to construct, maintain or operate a source of water supply within the city limits other than the city water system for drinking and sanitary purposes at any building which is located within two hundred fifty feet on lines of the city water system, unless an application for an individual water system is submitted and approved by the city council as provided by Section 13.08.120. Rain barrels are excluded. (Prior code T. 9, Ch. 4, § 2)

**13.08.030 Disposal of sewage and liquid waste.**

It is unlawful for any person to dispose of sewage, liquid wastes or human excreta from any building located within the city by any method other than through the utilization of the city sewage disposal system. If the building is located within two hundred fifty feet of any community sewage line, the building must hook up to the city sewage line or apply for an individual sewage system to be submitted for an approval by the city council. (Prior code T. 9, Ch. 4, § 3)

**13.08.040 Connection—Cost—Regulations.**

A. All connections to the city water and sewage systems shall be made at the expense of the user.

B. All individual water service and sewer connections and repairs, modifications or disconnections shall be made only under the terms and conditions as set forth by the Uniform Plumbing Code, latest edition, and such further regulations as the city may make. (Prior code T. 9, Ch. 4, § 4)

**13.08.050 Application for connection.**

A. Each application for water and/or sewage service connection shall be in writing and shall include the following:

1. Legal name and address of the applicant;
2. Legal description and sketch of the property and building for which the service is required;
3. The name and address of the person who will install the service lines from the building to be served to the city water and/or sewer system;

4. A description of the fixtures to be used in the structure or building;

5. An agreement to be responsible for and to pay promptly all charges for the service in accordance with this chapter;

6. Such additional information as the city council may require to demonstrate that the proposed connection complies with this chapter and any applicable regulations promulgated by the city council.

B. The city is authorized to require installation of a water meter at the user's expense on any industrial or commercial consumer line and to charge for such services as a similarly established meter rate, as set forth by resolution. (Prior code T. 9, Ch. 4, § 5)

**13.08.060 Application—Approval when—Appeal when.**

A. If the city manager is satisfied that the application and the proposed connection complies with this title and applicable regulations hereunder relating to the utilization of the community water and sewage system, he/she shall approve the application and provided for the connection, upon receipt of the established fees.

B. Any person whose application for connection has been denied or conditionally approved may appeal to the city council at its next regularly scheduled meeting. (Prior code T. 9, Ch. 4, § 6)

**13.08.070 Installation of service lines.**

A. All consumer service lines to the point of connection to the city water and sewer lines at the service box shall be installed by the user, at his own expense, and remain his responsibility for maintenance and repair.

B. The point in connection shall be the curb stop and sewage plug valve in the service box.

C. Standards for installation of domestic fixtures to be served by the city water and sewage systems, water and sewer lines and all related appurtenance as needed to ensure the safe utilization of the city water and sewer systems shall conform to the Uniform Plumbing Code, latest edition, and any other regulations as adopted by the city.

D. Any further new building shall be built at least fifteen feet from the water/sewer line. (Prior code T. 9, Ch. 4, § 7)

**13.08.080 Water and sewer service—Application—Fee.**

Application to have water and sewer service turned on shall be made in writing to the city manager and shall contain an agreement by the applicant to abide by and accept all of the provisions of this title and of any regulation adopted pursuant to this title as conditions governing the use of the city water supply and waste disposal facilities by the applicant. A fee of ten dollars shall be charged for each start of service and fee of forty dollars shall be charged for each disconnection, which will include a drain down of the service. (Prior code T. 9, Ch. 4, § 8)

**13.08.090 Water—Unauthorized turn-on prohibited.**

No water from the city water supply shall be turned on for service into any premises by a person except such person or person as the city manager shall authorize to perform this. A person who, without authorization, shall turn on water service from the city water supply shall be punishable by a fine

of up to three hundred dollars. (Prior code T. 9, Ch. 4, § 9)

**13.08.100 Regulation of individual systems.**

It is unlawful for any person or entity to operate or maintain an individual sewage disposal system, unless such system is constructed and maintained in such fashion that it does not contaminate any source of public drinking or domestic water supply. Such systems shall comply with the applicable standards of the Alaska Department of Environmental Conservation. (Prior code T. 9, Ch. 12, § 1)

**13.08.110 Alterations—Approval required—Penalty.**

It is unlawful for any person or entity to construct, alter or extend an individual sewage disposal system except by permission of the city council. Construction, alteration or extension of an individual sewage disposal system without a permit as required in this chapter shall be punishable by a fine of up to three hundred dollars for each offense. (Prior code T. 9, Ch. 12, § 2)

**13.08.120 Permits for construction or alteration of individual systems.**

A. An application for a permit for the construction, alteration or extension of an individual water systems or sewage disposal system shall be made in writing to the city and shall include the following:

1. Legal name and address of the applicant;
2. Legal description of sketch of the property on which the construction, alteration or extension is proposed;

3. A sketch of the proposed disposal facility and such additional information as the city may deem necessary to demonstrate that the proposed disposal facility shall comply with this title and the standards of the Alaska Department of Environmental Conservation.

B. If the city manager is satisfied that the proposed facility will comply with this title and with the state health regulations, he shall approve the application and issue a permit for the work.

C. Any person whose application for a permit has been denied may appeal to the next regular meeting of the city council. (Prior code T. 9, Ch. 12, § 3)

**13.08.130 Consumer's responsibility.**

Each consumer of community water or sewage service shall maintain his individual water and waste facilities in good repair at his own expense. The consumer's responsibility for water and sewer facilities shall begin at the two water curb stops, and the service plug valve located in the mainline service box to and throughout the consumers premises. In the case of an individual water and sewer systems, the consumer shall have complete responsibility for his own system. (Prior code T. 9, Ch. 12, § 4)

**13.08.140 Cold weather protection required.**

It is unlawful for any person using the city water to fail to have his use protected from cold weather. All users of city water shall protect their water service lines with adequate building heat to prevent the water and sewer facilities from freezing. (Prior code T. 9, Ch. 12, § 5)

**13.08.150 Disconnection for misuse.**

Water and sewer facilities may be discontinued by the city where defective fixtures or misuse of water and sewage facilities may affect the safe and proper operation of the city water and sewer system, where there is a wilful waste of water or where there is a refusal to permit an inspection by the city. (Prior code T. 9, Ch. 16)

**Chapter 13.12****CITY SERVICES AND FEES**

Schedule E. Hotel Rates  
Schedule F. City Hall Rates  
Schedule G. Office Rates  
(Ord. 96-04 (part), 1996)

**Sections:**

- 13.12.010 Reason to establish.**
- 13.12.020 Establishment of prices.**
- 13.12.030 City service schedules.**

**13.12.010 Reason to establish.**

The purpose of the city is to provide and manage certain city services for the people of Emmonak. Each department or area throughout the city has set prices for services that are necessary to provide said services. Furthermore, it is essential that these prices be controlled and be reasonable and be regulated. It is the function of the city council to establish the prices for the different services. (Ord. 96-04 (part), 1996)

**13.12.020 Establishment of prices.**

Each price list will be established as a separate schedule attached to the ordinance codified in this chapter and can be amended separately from the remainder of said ordinance for the purpose of expediency. Any nonestablished prices will be determined on a temporary basis by the city manager and that item will be presented at the next city council meeting for the purpose of inclusion in either its own schedule or a revision to an attached schedule. (Ord. 96-04 (part), 1996)

**13.12.030 City service schedules.**

Each schedule will be established separately according to the following:

- Schedule A. Sauna and Laundry Rates
- Schedule B. Public Works Rental Rates
- Schedule C. Cable Television Rates
- Schedule D. Water and Sewer Rates