

## CHAPTER 19

### PUBLIC UTILITIES AND OTHER ENTERPRISES

#### Article 1. Water Services

##### Sec. 19-1. Water System a Public Utility; to be Under Control of Public Works Department.

1. The city water system is a public utility owned and operated by the Wilburton Public Works Authority, and under the supervision and control of the public works department.
2. It is the responsibility of the mayor/chairman to see that it is operated in a businesslike manner and in accordance with ordinance provisions and other policies adopted by the trustee.
3. Subject to such ordinance provisions and policies, the mayor/chairman may make such reasonable regulations to govern the water system as may seem to him desirable.

##### Sec. 19-2. Repair by Licensed Plumber.

That all private water line installation and/or repairs will be performed by a licensed plumbers in the City of Wilburton.

##### Sec. 19-3. Providing for Repair of Damaged Private Water Lines Connected to the City of Wilburton Water System and Where Said Water Lines are Located on Private Property.

1. It shall be unlawful for any person to damage, destroy or tamper with any pipes, meters or other equipment connected with the City Water System and shall include any water lines located on private property.
2. It shall be unlawful for any licensed plumber or any person to perform plumbing repairs on water lines within the City of Wilburton without a permit and
3. Plumbers must be licensed by the State of Oklahoma as well as by the City of Wilburton.

4. City permits and licenses may be obtained from the City Clerk at the City Hall during normal working hours.

Sec. 19-4 Application for Water Service.

1. Any person desiring to secure water from the city water system, shall make an application therefore to the secretary of the Public Works Authority, on an application form to be provided by the Authority.
2. The applicant shall give such reasonable information as the secretary may request.
3. He shall state in the application that he will abide by all ordinances, rules and regulations governing the water service of the city.

Sec. 19-5. Water Tap Fee.

The charge for making a water tap and connection shall be:

1. Three quarter (3/4) inch.....\$ 250.00
2. Two (2)inch.....\$ 500.00
3. Four (4)inch.....the cost of the meter, fittings and materials required for the installation.

Sec. 19-6 .Deposit for Utility Service.

1. Every applicant for utility service shall make a minimum deposit of sixty dollars (\$60.00) or
2. when past due conditions or facility size warrants, the mayor / chairman may use such judgement for utility deposit, for water, sewage and garbage services, and
3. applicant shall not be granted such service until he shall have paid to the department such deposit.
4. The deposit shall serve as a guarantee for the payment of charges for water, sewage and garbage services and other amounts owed to the city in connection with the service.

5. When a customer's water service is discontinued, the deposit or any part of such amount deposited which remains after all such charges and amounts due the city have been satisfied, shall be returned to the customer.

Sec. 19-7. Water Turn-On Fee.

There shall be a water turn-on fee of fifteen dollars (\$ 15.00) plus the meter deposit.

Sec. 19-8. Fee for Rechecking Water Meter Reading.

1. Every person and/or business who requests the City to recheck a water meter reading; and, upon rechecking the said water meter reading, the initial reading is found to be correct, said person and/or business shall
  - a. be charged a five dollar (\$5.00) fee to be assessed on the next water bill.
  - b. Provided, no fee shall be charged if the initial meter read is found to be in error.

Sec. 19-9. One Premise to a Tap; Subsidiary Connection Not Allowed.

1. Not more than one premise may be connected to any one tap.
2. No customer shall make or permit to be made any subsidiary connection of another's premises with his water service unless it is defined under section 19-9
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Sec. 19-9.a. Tap for Multi-Unit Rental Property

All multi-unit rental property will have one master meter that the property owner will be responsible for such utility bill.

Sec.19-10 Turning on Water.

1. It is unlawful for any person to turn the water on to any premises from the city water system, except by permission of the superintendent in charge of the department.
2. Water shall not be turned on until

- a. the plumbing has been inspected and approved by the plumbing inspector as may be provided by ordinance, and
  - b. until any and all deposits and charges have been paid.
3. The superintendent will see that the water is turned on when all requirements for service have been complied with.

**Sec. 19-11. Water Rates** *[Amended 6/2001, Ord. No. 01-1017; 6/2005, Ord. No. 05-1037; 11/2007, Ord. No. 07-1049; Ord. No. 09-1068, 5/2009]*

Customers using water from the city water system shall pay for the water at the following rates, whether on a meter or not:

**RESIDENTIAL, BUSINESS AND SCHOOLS:**

1 – 1,499 gallons (minimum)	\$15.00
1,500 – 2,000 gallons	\$2.40 per thousand gallons
2,001 – 3,000 gallons	\$2.50 per thousand gallons
3,001 – 4,500 gallons	\$2.60 per thousand gallons
4,501 – 6,000 gallons	\$2.70 per thousand gallons
6,001 – 7,500 gallons	\$2.80 per thousand gallons
7,501 – 10,000 gallons	\$2.90 per thousand gallons
10,001 and over	\$3.00 per thousand gallons

**WHOLESALE/COMMERCIAL RATES**

Rural Water District	\$2.70 per thousand
Eastern Oklahoma State College	\$2.70 per thousand
Franklin Electric	\$2.70 per thousand

Wholesale/Commercial rates will be evaluated each year.

Sec. 19-12. Bills Due Date; Delinquency.

1. All bills for water service shall be due and payable on the first day of the calendar month following the service month when the service was rendered.
2. They shall become delinquent if not paid on or before the tenth day of the month in which they become due, and ten percent (10%) of the amount of delinquent bills shall be added thereto as a delinquency charge.
3. The superintendent shall cause the water service to a customer to be disconnected if he does not pay the bill by the twentieth (20th) day of the month.
4. Bills rendered when service is discontinued, shall be due and payable at time the bills are presented or sent to the customer.

Sec. 19-13. Water May be Cut Off.

Water may be cut off and service discontinued for any user of water, sewage or garbage from the city utility systems for any of the following reasons:

1. Violation of any ordinance provision relating to the water, sewage or garbage systems, or violation of any ordinance provision or any provision of any code adopted by reference relating to water and sanitary plumbing.
2. Any act or omission in regard to the water system or sanitary sewer system, the use of water, or the disposal of liquid wastes, which jeopardizes the public health or safety, creates a public nuisance, or interferes with the rights of others.
3. Failure to pay a water, sanitary sewer, or garbage bill or other proper charge in connection with the water system by the time specified by ordinance.

Sec. 19-14. Turning Water on Again.

1. When a customer's water service has been cut off because of delinquency or act of omission of the customer, as provided by ordinance, it may be turned on again when all charges have been paid or other change in the conditions justify.
2. A charge of fifteen dollars (\$15.00) shall be made for turning the water on again.

Sec. 19-15. Water to be Turned Back on Only by City Authority.

When the water, of any customer, has been turned off by city personnel, it shall not again be turned on except by permission of the superintendent.

Sec. 19-16. Customer to Keep Service Pipes, Etc., in Good Repair; Not Waste Water.

All customers using city water shall keep their service pipes, stop cocks, and other water apparatus in good repair and in proper operation, and shall not unnecessarily waste water.

Sec. 19-17. City Not Responsible for Water Stoppage, Etc.

The city shall not be responsible for any damage due to stoppage or interruption of water service.

Sec. 19-18. No Service Connection Until Bills Have Been Paid.

A person owing water, sanitary sewer or garbage or other charges in connection with the city water, sanitary sewer or garbage systems, shall not be extended city water service until such have been paid.

Sec. 19-19 City May Cut Off Water Service.

The city reserves the right to cut off water service to any customer when necessary for the public welfare to conserve water to protect life and property.

Sec. 19-20. Water Shortage.

1. In case of emergency caused by a shortage of water in the city water system, it shall be the duty of the mayor/chairman immediately to give notice by publication to the water consumers of the system not to use water obtained from the system for any purpose other than for strictly domestic use and such other use as he may designate, so long as the water shortage lasts.
2. Thereafter and until he proclaims the emergency at an end, it shall be unlawful for any person, firm, or corporation, during the existence of the emergency, to use water obtained from the city water system for any purpose other than strictly domestic use and such other uses as he may have designated.

Sec. 19-21.City Personnel May Inspect Private Premises, Etc.

1. The superintendent and other city personnel in the service of the city water system may enter any private premises served by the city water system at any reasonable times, and inspect the water pipes and fixtures of said premises.
2. The consumer must answer fully, to the extent of his knowledge, all reasonable questions relating to the water service on his premises.

Sec. 19-22.Interference with Fire Hydrants; Damage of Water System, Etc.

1. It shall be unlawful for any person except one duly authorized by the superintendent or a member of the fire department in the city, to open, turn on or off, interfere with, attach any pipe or hose to, or connect anything with, any fire hydrant or stop cock belonging to the city unless approved by the Superintendent or Fire Chief.
2. It shall be unlawful for any person to obstruct access to any fire hydrant by placing around or thereon brick, lumber, dirt or other thing, or in any other manner.
3. It shall be unlawful for any person to damage, destroy or tamper with any pipes, meters or other equipment or property which is a part of the city water system.
4. It shall be unlawful for any person to knowingly hide or to cause any of the Public Works property, equipment, etc. to be hid.

## **Article 2. City Lake**

### **Sec. 19-23. Fishing, Hunting and Lake Regulations.** *[Amended 7/1999; Ord. No. 99-1008]*

1. It is unlawful to keep fish from the City Lake which are too small to be kept under State law; and all such under-sized fish shall be put back into the lake.
2. It is unlawful to catch or take more fish from the lake than is permitted by State law.
3. It is unlawful to use either nets or trot lines in the lake.
4. It is unlawful to use either blood or stink baits in the lake.
5. It is unlawful to swim in the lake except when it is necessary to save or protect human life, except in areas designated by the council.
6. It is unlawful to violate any provision of State law relating to hunting, on the lake property; and any such violation shall be deemed a violation of the city ordinances.
7. It is unlawful to take, lead, drive, or permit cattle or any other livestock on the lake property.
8. Boating regulations; all boating must comply with Title 63 Section 4200 of Oklahoma State Statutes 1991.
9. No wake will be allowed on city lake, no person allowed within 25 feet from draw down tower.
10. Skiing will not allowed on city lake.
11. Fine schedule for any violation of lake rules will \$48.00+ \$7.00 cleet cost for a total \$55.00

### **Sec. 19-24. Who to Enforce.** *[Amended 7/1999; Ord. No. 99-1008]*

The lake caretaker, any policeman or other city personnel authorized by the city, shall have authority to enforce ordinance provisions relating to hunting and fishing and the lake property, and to arrest persons who violate any of such provisions.



### **Article 3. Penalty.**

#### **Sec. 19-25. Penalty.**

1. Any person, firm or corporation who violates any provision of this chapter, shall be guilty of a misdemeanor, and upon conviction, shall be fined in any amount not to exceed two hundred fifteen dollars (\$ 215.00) including costs.
2. Every day upon which a violation continues shall be deemed a separate offense.



## **Article 4 Severability**

### **Sec. 19-26 Severability**

If any section, subsection, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

