

6
Utility Rates
Ordinance

CITY OF PALMER, ALASKA
ORDINANCE NO. 122

20600R

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF UTILITY RATES,
REPEALING ORDINANCES NO. 42, 45 AND 57, AND ESTABLISHING PENALTIES.

THE CITY OF PALMER, ALASKA, DOES HEREBY ORDAIN:

Section 1. Repealer. Ordinance No. 42, Ordinance No. 45 and Ordinance No. 57 are hereby repealed.

Section 2. Definitions. The following terms as used in this Ordinance shall have the following meanings:

(a) "Utility customer" shall mean any party contracting to receive public water or sewer services, or other public utility services, from the City of Palmer.

(b) "Utility main" shall mean that part of the water or sewerage system intended to serve more than one water or sewer connection.

(c) "Utility connection" shall mean that part of the water or sewerage system connecting the water or sewer main and the lot line of abutting property.

(d) "Utility extension" shall mean that part of the water or sewerage system extending from the water or sewer connection into the premises served.

Section 3. Service Agreement; Connections; Extensions; Permit; Fees; Check Valve.

(a) All utility customers shall execute service agreements with the City of Palmer, on forms supplied by the City, prior to receiving or utilizing utility services.

(b) Utility connections to City sewer and water mains shall be installed only by or under the direction of the City. The City shall bill the property owner for labor and materials, plus ten per cent (10%) or such flat rate amounts as may be established by the City Manager and approved by the City Council.

(c) No person shall install utility connections or extensions without first obtaining a written permit from the City Manager or his duly authorized agent; all installations shall comply with construction standards established by the City, and before such installations are backfilled, the City Manager or his duly authorized agent must be notified and the installation must be inspected and approved.

(d) No person shall install a sewer connection without a check valve if the lowest outlet in the building or residence is below the elevation of the top of the manhole closest to such connection.

(e) Connection permits herein required shall require the payment of a fee of \$2.00. Monthly service fees for utility services shall be established by the City Manager, subject to the approval of the City Council.

Section 4. Sewerage Facilities Required; Existing Construction; New Construction.

(a) No person shall erect any dwelling or commercial or industrial building without providing sewerage facilities and connection to the City sanitary sewer; provided that such connection need not be made if the premises are located further than 150 feet from the City sanitary sewer as measured in a straight line from the sanitary sewer to the nearest exterior lot line; and provided further that it shall be unlawful to erect any such structure where City sewer service is not available within 150 feet unless the proposed sanitary facilities shall have been approved by the City Manager or his duly authorized agent as providing adequate disposal of wastes. Such officer, in making his decision, shall consider the terrain and drainage of the area as well as technical compliance with the specifications for septic tanks, and no building plans shall be approved unless the sanitary facilities have first been approved.

(b) After September 1, 1966, no person shall occupy and no person shall own, maintain or control any structure or premises used as a home, apartment or other living quarters unless the structure is connected to the City sanitary sewer; nor, after September 1, 1966, shall any person occupy or maintain or control any structure or premises used for any commercial, industrial or business use unless such structure is

connected to the City sanitary sewer (unless said structure is a part of an integrated business enterprise in the immediate area and one or more of the other structures used by such enterprise are serviced by the City sanitary sewer). Provided, however, that provisions of this sub-section shall not apply if the sanitary sewer nearest the premises is more than 150 feet distant, as measured in a straight line from the sanitary sewer to the nearest exterior lot line.

(c) All septic tanks now in use or hereafter constructed within the City shall meet the specifications established by the City Manager and the Alaska Department of Health and Welfare, and no septic tank shall hereafter be constructed without obtaining a written permit from the City Manager or his duly authorized agent. Vaults, privies and cesspools shall not be approved as adequate sanitary facilities.

Section 5. Same -- Notice to Provide Facilities; Hearing. The City Manager shall order connection of any premises to the City sanitary sewer only if such premises are within 150 feet of a sanitary sewer. The owner or his representative shall be given fifteen (15) days to comply with any such order or to appeal such order to the City Council. If the owner of the premises shall file a written appeal with the City Council within fifteen days of service of the City Manager's order upon him, the Council shall hold a hearing. At such hearing, if substantial evidence of actual or potential danger to the public health arising out of failure to connect with the sanitary sewer is shown, the Council shall order connection of the premises to the City sanitary sewer.

Section 6. Same - Failure to Comply with Notice; Condemnation; Installation by Officer; Cost.

If the Owner has not complied with the City Manager's order within fifteen days after receipt thereof, and has not appealed to the City Council, the City Manager or his duly authorized agent may deny use of the structure to all persons until the requirements of the order have been met. Likewise, if, following hearing before the City Council, the owner has not complied with the City Council's order for a period of fifteen days, the City Manager shall likewise take such action.

Section 7. Private Main; Permit; Fees; Extensions.

(a) No person shall construct any private utility main which will be served directly or indirectly by the City water or sewerage system without first obtaining a written permit from the City Manager or his duly authorized agent, and paying such fee and proceeding in accordance with such regulations as have been established by the City Manager and approved by the City Council.

(b) No person shall install any utility connection to any private utility main which will be served directly or indirectly by the City utility systems without first obtaining a written permit from the City manager or his duly authorized agent and conforming with the conditions thereof.

Section 8. Service Outside the City; Approval Required; Monthly Service Charge.

(a) After the effective date of this ordinance, no property located outside the limits of the City shall be served directly or indirectly by the City utility systems unless such connection has been authorized by the City Council either in the individual case or as part of a utility extension specifically authorized by the Council.

(b) Each single family residence which is outside the City and connected to the City utility system shall be charged a monthly service charge as established by the City Manager, and approved by the City Council. The charge shall be the obligation of the owner of the premises served by the City utility. If the premises are occupied by a person not the owner, that person shall be jointly and severally liable for the monthly service charge with the owner. Said service charge shall become effective for the first full calendar month of service after service is commenced. Failure to pay the service charge when due gives the City the right to immediately discontinue utility services to any residence upon which such charge is unpaid. Discontinuance of service in no way affects the City's right to enforce

collection of past due charges.

(c) The City Manager is authorized and directed to establish monthly service charges for utility services to other types of structures outside the City which are hereafter connected to the City utility system. The charge established by the City Manager shall be based on the single family residence charge as modified to reflect greater or lesser utility use, as the case may be. The charge shall be the obligation of the owner of the structure so served. If the occupant is not the owner, the occupant shall be jointly and severally liable for the charge with the owner. The City may discontinue utility services to any structure when the service charge is due and unpaid. Discontinuance of utility services does not affect the right of the City to enforce collection of delinquent service charges.

Section 9. Maintenance of Connections and Extensions. Customers will be responsible for all utility connections and extensions, and the City will not be responsible therefor. From time to time, as City equipment and personnel are available, upon request by the customer, the City may assist the customer in performing maintenance, charging such customer for such assistance as approved by the City Council.

Section 10. Discontinuance of Service; Notice; Liability. The City may at any time without notice discontinue utility services for repairs and the like without liability for resultant loss or damage. Public notice of service interruptions will be given whenever possible but the City shall not be bound to do so.

Section 11. Rules and Regulations; Additional; Approval. The City Manager is hereby empowered, subject to approval by the City Council, to make such rules and regulations not in conflict with the provisions of this ordinance, relative to utility mains, connections and extensions which will be served directly or indirectly by the City utility systems as are necessary to protect public property or the safety or health of the public, and no person shall fail to comply with any such rule or regulation.

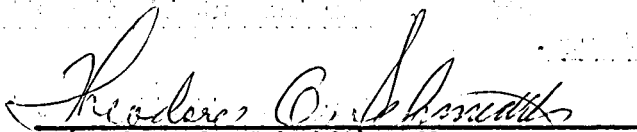
Section 12. Disconnection of Service; Causes. The City reserves the right to disconnect the service and to remove its meters, and other appliances whenever any utility bill is not paid when due, or to prevent fraud, or for any cause the City Manager may deem sufficient.

Section 13. Penalty. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$300.00 or by imprisonment for not more than thirty days or by both such fine and imprisonment. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense.

Publication of this ordinance shall be by posting a copy hereof on the City Hall bulletin board for a period of ten (10) days following its passage and approval.

First Reading: May 18, 1965
Second Reading: May 25, 1965

Passed and approved by the City Council for the City of Palmer, Alaska, this 8th day of June, 1965.


Theodore O. Schmidtke, Mayor

ATTEST:


Emilie St. Pierre, City Clerk

2060R