Chapter 700

WATER

Cross References — As to plumbing generally, ch. 635; as to sewers and sewage disposal generally, ch. 705; as to storm water management, ch. 525; as to billing, rates and charges, ch. 715.

ARTICLE I
General Provisions

Section 700.010. Definitions. [R.O. 2012 §700.010; CC 1979 §31-2; Ord. No. A-2055 §1, 9-19-1963; Ord. No. A-3770 §1, 2-8-1977]

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

APPLICANT — Any person who shall make application for the City to extend any water main, and any person who shall make application to the City to tap any main or extension thereto and to become a user.

SERVICE LINE — That portion of pipe between the tap and the meter, used for delivery of water to the meter from the main.

SINGLE USER EXTENSION — The extension to any existing water main for the use of a single user, and to which no other taps or service lines are to be connected.

TAP — The coupler by which the service line shall be attached to the water main.

USER — Any person receiving water from and through the City water system for personal, domestic or industrial use.

WATER MAIN OR MAIN — All pipes, of whatever construction, through which the City shall furnish water to the taps and service lines of users, but not including taps and service lines.

Section 700.015. Introduction of Fluoride Into The Public Water Supply. [R.O. 2012 §700.015; Ord. No. 6950 §§1 — 2, 5-19-2000]

A. The City Council of Monett, Missouri, is hereby authorized and directed to provide the means and to proceed with the introduction of the fluoride ion into the public drinking water supply of Monett, Missouri, in such quantities as are required to provide throughout the pipe distribution system a fluoride concentration of approximately one (1) part fluoride per million parts of water.

B. The City Council of Monett, Missouri, shall see that the Water Department keeps an accurate record of the amount of fluoride bearing chemical applied to the quantities of

water treated, and cause such analytical tests to be made for fluoride (in terms of the element F) in the untreated and treated water as it shall be directed to do by the Missouri Department of Health.

Section 700.020. Chapter Considered Part of Contracts. [R.O. 2012 §700.020; CC 1979 §31-3; Ord. No. A-2055 §2, 9-19-1963; Ord. No. A-3770 §2, 2-8-1977]

The rules and regulations in this Chapter shall be considered a part of the contract with every person who is supplied with water through the waterworks system of the City, and every such person, by taking water, shall be considered as expressing his/her consent to be bound thereby.

ARTICLE II
Extension of and Connections To Water Mains

Section 700.025. City May Extend Water and Sewer Mains and Service Lines Outside The City — When. [R.O. 2012 §700.025; Ord. No. A-6792 §§1 — 3, 2-18-1999; Ord. No. 8108 §1, 3-20-2012]

Notwithstanding any other provisions of the ordinance of the City of Monett to the contrary, with the prior approval of the City Council and upon such terms and conditions as the City Council may impose, the City of Monett may extend and may permit connection of properties from outside the City of Monett to the sewer and water system of the City of Monett subject to the usual connection charges and user fees as applicable to other properties connected to the sewer and water system of the City of Monett, or such other special connection fees and sewer and water use charges as the City may, from time to time, adopt by ordinance of the City applicable to properties located outside the City of Monett and connected to the sewer and water system thereof; provided that the City Council shall determine in its sole discretion that the provisions of such City sewer and water services and the extension of City sewer and water lines to properties beyond the City limits of the City of Monett is in the circumstances proposed beneficial to the City of Monett and the general health and welfare of its citizens, and the potential development of the City of Monett.

Section 700.030. Type and Size of Water Mains. [R.O. 2012 §700.030; CC 1979 §31-4; Ord. No. A-2055 §3, 9-19-1963; Ord. No. A-3770 §3, 2-8-1977; Ord. No. A-7133 §1, 2-27-2002]

All water mains constructed for attachment to the City water system shall be of cement-lined cast-iron construction, manufactured in accordance with A.W.W.A. specifications, and shall be of the existing size but in no case smaller than eight (8) inches in inside diameter, unless so approved by the City Council; provided, that if the City Engineer shall state in his/her cost estimate, as provided in Section 700.050, that it is necessary and in the best interests of the welfare of the residents of the City that a larger water main be constructed and such cost estimate shall include the additional cost of constructing such larger water main, the Council may, by ordinance, declare that such larger main shall be installed, and upon such declaration and acceptance thereof by the applicant, such larger main shall be installed.

Section 700.040. Application For Extension Generally, Initial Extension Deposit and Service Connections To City Water Mains Existing Outside Corporate Limits of The City. [R.O. 2012 §700.040(B — F); CC 1979 §31-5; Ord. No. A-2055 §4, 9-19-1963; Ord. No. A-3770 §4, 2-8-1977; Ord. No. A-6009 §1, 10-10-1994; Ord. No. 8108 §2, 3-20-2012; Ord. No. 8130 §1, 7-10-2012]

A. Notwithstanding any provisions to the contrary, the owner of all houses, buildings, or properties used for human employment, recreation, residence or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located access to a public water system within one hundred (100) feet of the property line, is hereby required to connect to such facilities in accordance with the provisions of this Section, within ninety (90) days after the date of official notice to do so.

B. Any inspector or other employee of the City of Monett, while performing their duties as required to ensure compliance with this Section, shall carry upon his or her person and present to all property owners upon demand, proper credentials for identification purposes.

Section 700.050. Cost Estimate For Proposed Extension — City Engineer To Make and Submit To Superintendent of Utilities — Superintendent of Utilities To Notify Applicant — Failure To Pay. [R.O. 2012 §700.050; CC 1979 §31-6; Ord. No. A-2055 §5, 9-19-1963; Ord. No. A-3770 §5, 2-8-1977]

Upon receipt of an application as provided in this Article, the Superintendent of Utilities shall notify the Mayor and the City Engineer, stating the location of the proposed extension. The City Engineer shall forthwith make an estimate of the cost of the proposed extension, in writing, and submit the same to the Superintendent of Utilities within five (5) days of the date of the application. The Superintendent of Utilities shall thereupon notify such applicant, stating the amount of such estimate. The applicant shall, within ten (10) days of the receipt of such notice, pay to the Superintendent of Utilities the full amount of such cost estimate. In the event such applicant shall fail to pay to the Superintendent of Utilities the amount of the cost estimate, the application shall be denied by the Superintendent of Utilities.

Section 700.060. Cost Estimate — How Computed. [R.O. 2012 §700.060; CC 1979 §31-7; Ord. No. A-2055 §7, 9-19-1963; Ord. No. A-3770 §7, 2-8-1977]

A. The cost estimate submitted as required in this Article shall be computed on the basis of the following items:

1. All estimates shall be based on pipe of the specifications set forth in Section 700.030.

2. Materials shall be computed on the basis of prevailing market prices.

3. Such cost estimate shall include engineering services, if any, materials, labor, equipment rental, if any, surveys and grading and the cost of "looping" the end of the extension.

4. For the purpose of computing the length of the proposed extension, the City Engineer or other authorized representative of the City shall measure the distance from the terminal point of the nearest usable existing water main to the far end of the addition, subdivision or lot to be served and any loop provided under Subsection (3) of this Section.

5. Such cost estimate shall state the total cost of constructing the proposed extension and the cost per foot of such construction.

6. The City shall provide the necessary valves, fittings and fire hydrants to connect such

extension to the existing main, and for the extension, but shall not pay for the installation of such valves, fittings and the fire hydrants. Also, the City shall pay for any additional cost incurred when a larger than six (6) inch main is required, except when such larger main is required by the applicant, in which case the applicant shall pay all costs required for the applicant's usage.

Section 700.070. Costs — Disposition Generally — Inspections of Work. [R.O. 2012 §700.070; CC 1979 §31-8; Ord. No. A-3770 §9, 2-8-1977]

Upon the receipt of the balance of payment due under the cost estimate as provided in Section 700.050, the Superintendent of Utilities shall deliver the additional funds to the City Treasurer to be deposited in the Pro Rata Water Fund. During the installation of the water main, the work area shall be available for inspection of the water main and ditch at all reasonable hours by the City Engineer or any delegated City employee. Upon completion of the water main installation, which shall not exceed one hundred eighty (180) working days, weather permitting, and if approved, the City Engineer shall approve eighty percent (80%) of the total received for payment to the contractor or the City for installation of such water main extension. The remaining twenty percent (20%) shall be retained a minimum of thirty (30) days until all finished grade is completed, including blacktop, concrete or any other finished grade as required, including seeding where necessary. If the contractor does not complete the finished grade in a reasonable length of time as required, the City retains the right to hire another contractor to complete the finished grade and to pay such contractor from the twenty percent (20%) retained funds.

Section 700.080. Council To Adopt Ordinance Granting Application, Stating Manner of Construction and Approving Contract Between City and Applicant. [R.O. 2012 §700.080; CC 1979 §31-9; Ord. No. A-2055 §6, 9-19-1963; Ord. No. A-3770 §6, 2-8-1977]

Upon the receipt of the balance of payment due under the cost estimate as provided in Section 700.050, the Superintendent of Utilities shall deliver the application and the cost estimate to the City Council, and if the Council shall find that the proposed extension is not contrary to the public interest, they shall, by ordinance, direct that the application be granted. Such ordinance shall further state the manner in which the construction of the proposed water main extension is to be done and approve a contract between the City and/or a private contractor approved by the City and the applicant for the construction of such extension.

Section 700.090. Additional Payments or Refunds Based On Actual Cost of Extension — Generally. [R.O. 2012 §700.090; CC 1979 §31-10; Ord. No. A-2055 §8, 9-19-1963; Ord. No. A-3770 §8, 2-8-1977]

Should the actual cost of extending the water main be more than the cost estimate, the applicant shall pay such additional amount to the City before water service shall be commenced. If the actual cost of extending the water main is less than the estimated cost, the applicant shall be refunded the amount of his/her payment, less the actual cost.

Section 700.100. Additional Payments or Refunds Based On Actual Cost of Extension — Refunds Inapplicable To Certain Extensions — Superintendent of Utilities To Deliver Funds To Treasurer. [R.O. 2012 §700.100; CC 1979 §31-11; Ord. No. A-2055 §9, 9-19-1963]

Whenever any application shall be filed for extension of any existing water main, and such application shall state that the applicant will become a single user, and the plat submitted with such application shall support such statement, all funds paid to the Superintendent of Utilities by reason of such application shall, when such application is approved, be paid by the Superintendent of Utilities to the City Treasurer, who shall deposit the same in the General Revenue Fund of the City, and the refund provisions of this Article shall be inapplicable. Whenever such application shall state that it is probable that taps will be made for users other than the applicant for the extension, and the plat submitted therewith shall support such statement, upon approval of such application, the Superintendent of Utilities shall deliver all funds paid to him/her by reason of such application to the City Treasurer, who shall deposit the same in the Pro Rata Water Fund.

Section 700.110. City Treasurer To Keep Records Concerning Pro Rata Water Fund. [1] [R.O. 2012 §700.110; CC 1979 §31-12; Ord. No. A-2055 §10, 9-19-1963; Ord. No. A-3770 §10, 2-8-1977]

The City Treasurer shall keep a ledger account book of all funds on deposit in the Pro Rata Water Fund, showing the amount paid into such fund by the Treasurer as a result of each water main extension, the applicant making such payment and all payments made therefrom.

Section 700.120. Additional Payments By Users Connecting Within Five Years After Extension Completed — Required — Amount. [R.O. 2012 §700.120; CC 1979 §31-13; Ord. No. A-2055 §11, 9-19-1963; Ord. No. A-3770 §11, 2-8-1977]

When any water main extension other than a single user extension shall be completed, for a period of five (5) years thereafter, any user connecting to such extension shall pay into the Pro Rata Water Fund, in addition to the initial deposit provided in this Article, the following amount:

The total cost of such extension shall be divided by the number of feet in such extension, and such user shall pay an amount equal to the total number of front feet in the property owned by such user which fronts on or abuts such extension, times such per foot construction cost; provided, that if such extension is available for users on both sides thereof, such user shall pay one-half (½) of such charge.

Section 700.130. Additional Payments By Users Connecting Within Five Years After Extension Completed — Refund To Original Applicant For Extension From Other Users. [R.O. 2012 §700.130; CC 1979 §31-14; Ord. No. A-2055 §12, 9-19-1963; Ord. No. A-3770 §12, 2-8-1977]

When any water main extension other than a single user extension shall be completed, for a period of five (5) years thereafter, the applicant shall be entitled to a refund from each user other than applicant who taps such main extension between the terminal point of the water main before such extension was made and the terminal point of the extension. Such refund shall be in the amount of the charge paid by the user as set forth in Section 700.120.

Section 700.140. Additional Payments By Users Connecting Within Five Years After Extension Completed — Refund To Original Applicant Not To Exceed Amount Paid Into Fund. [R.O. 2012 §700.140; CC 1979 §31-15; Ord. No. A-2055 §13, 9-19-1963; Ord. No. A-3770 §13, 2-8-1977]

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1. **Cross References — As to city treasurer generally, §§115.250 — 115.280.**

In no event shall refunds be made to the original applicant in excess of the amount paid into the Pro Rata Water Fund, and no interest shall be paid thereon.

Section 700.150. Service Charges To Be Paid Into General Revenue Fund, Rather Than Pro Rata Water Fund. [R.O. 2012 §700.150; CC 1979 §31-16; Ord. No. A-2055 §14, 9-19-1963; Ord. No. A-3770 §14, 2-8-1977]

No service charge paid by any applicant to become a user shall be paid into the Pro Rata Water Fund, but such charges shall be paid into the General Revenue Fund of the City.

Section 700.160. Extensions To Become Property of City. [R.O. 2012 §700.160; CC 1979 §31-18; Ord. No. A-2055 §15, 9-19-1963; Ord. No. A-3770 §15, 2-8-1977]

Upon completion of any water main extension, such extension shall become and remain the sole property of the City.

Section 700.170. Connection of Additional Mains or Extensions To Extensions Made Pursuant To Article. [R.O. 2012 §700.170; CC 1979 §31-19; Ord. No. A-2055 §16, 9-19-1963; Ord. No. A-3770 §16, 2-8-1977]

Additional mains or extensions may be connected onto any extension made under this Article, but such water main extension shall not entitle the original applicant for extension to a refund from the Pro Rata Water Fund by reason of such additional extension.

Section 700.180. Funds Remaining in Pro Rata Water Fund Five Years After Extension To Become Property of City. [R.O. 2012 §700.180; CC 1979 §31-20; Ord. No. A-2055 §17, 9-19-1963; Ord. No. A-3770 §17, 2-8-1977]

At the expiration of five (5) years from the date any water main extension is completed, all funds remaining in the Pro Rata Water Fund as a result of such extension shall become the sole property of the City and shall be transferred to the General Revenue Fund of the City.

Section 700.190. Applications For Extensions To Users Within City To Be Given Preference Over Applications For Extensions Outside City. [R.O. 2012 §700.190; CC 1979 §31-21; Ord. No. A-2055 §18, 9-19-1963; Ord. No. A-3770 §18, 2-8-1977]

Applications for water main extensions for service to users within the corporate limits shall be given preference over applications for extensions of water mains for service to users outside the corporate limits.

Section 700.200. Council To Determine Whether Work On Extensions To Be Done By City Employees or By Contract — Procedure For Letting Contracts. [R.O. 2012 §700.200; CC 1979 §31-22; Ord. No. A-2055 §19, 9-19-1963; Ord. No. A-3770 §19, 2-8-1977]

The Council shall, in its ordinance directing commencement of work on water main extensions, state whether such work is to be done by City employees or by contract. All contracts let for the extension of water mains shall be let to such contractors as the City and the applicant may agree upon or, if no such agreement is made, to the lowest and best bidder therefor. Notice for such bids shall be mailed to all contractors licensed and bonded to do business in the City, and all bids

shall be submitted in writing and shall be sealed.

Section 700.210. Extensions To Be Located in Existing Easements Where Possible — Easements To Be Provided City Where Necessary. [R.O. 2012 §700.210; CC 1979 §31-23; Ord. No. A-2055 §20, 9-19-1963; Ord. No. A-3770 §20, 2-8-1977]

Where possible, all extensions of water mains shall be located in streets, roadways, alleys or other easements existing in favor of the City. Where necessary, rights-of-way or easements shall be provided to the City at no cost.

Section 700.220. Taps and Service Lines — Pipe To Be Provided By and Become Property of City — Service Line To Extend From Main To Meter. [R.O. 2012 §700.220; CC 1979 §31-25; Ord. No. A-2055 §24, 9-19-1963; Ord. No. A-3770 §24, 2-8-1977]

The tap and service line pipe shall be provided by the City and, upon installation, shall remain the property of the City. Such service line shall extend from the main to the meter, which shall be set adjacent to the property line.

Section 700.230. Taps and Service Lines in Excess of Three-Quarters of An Inch. [R.O. 2012 §700.230; CC 1979 §31-26; Ord. No. A-2055 §25, 9-19-1963; Ord. No. A-3770 §25, 2-8-1977]

If any applicant to become a user shall state in his/her application that he/she wishes to install a tap and service line in excess of three-quarters (¾) of an inch, he/she shall state in his/her application the size tap desired. The City Engineer shall estimate the cost of installing such tap, and the amount estimated shall be paid in full by the applicant before work on installation of the tap and service line shall be commenced. In the event the actual cost of installing such tap shall be more than the amount estimated by the City Engineer, the applicant shall pay to the City such additional amount, before water service shall be commenced. In the event the actual cost of installing such tap shall be less than estimated by the City Engineer, the applicant shall be refunded the amount paid by him/her, less the actual cost.

Section 700.240. City To Perform Work On Taps and Service Lines. [R.O. 2012 §700.240; CC 1979 §31-27; Ord. No. A-2055 §27, 9-19-1963; Ord. No. A-3770 §27, 2-8-1977]

The City shall perform all work in constructing and installing taps and service lines.

Section 700.250. Work Not To Be Commenced Until Cost Paid As Provided in Chapter 715. [R.O. 2012 §700.250; CC 1979 §31-29; Ord. No. A-2055 §22, 9-19-1963; Ord. No. A-3770 §22, 2-8-1977]

No work shall be commenced on the construction of any water main extension or upon any tap or service line, until the full amount therefor shall have been paid as provided in Chapter 715.

ARTICLE III
Meters and Miscellaneous Regulations

Section 700.260. Meters Required. [R.O. 2012 §700.260; CC 1979 §31-33]

All water service provided by the City to any user shall be had through a meter.

Section 700.270. Tapping of Lines and Mains To Be Done By City. [R.O. 2012 §700.270; CC 1979

§31-35]

The tapping of all water lines and mains shall be done by the City, under the direct supervision of the City Engineer. A record of all such connections shall be kept by the City Engineer, and each connection shall be clearly designated on the map of the City waterworks system.

Section 700.280. Meter Box. [R.O. 2012 §700.280; CC 1979 §31-36]

All water meters, shall be installed in a meter box, of sufficient diameter that the unions on each side of the meter will come within the box and can be readily disconnected from the inside of the box for the easy removal of the meter for inspection or repair or replacement, but not less than eighteen (18) inches in diameter. The meter box shall have slotted sides and shall not rest on the service pipe but on the ground beneath. The box must have a cast iron cover as the location may require. All meter boxes shall be approved by the Utilities Department.

Section 700.290. User To Keep Meter and Certain Parts of Water Line in Repair. [R.O. 2012 §700.290; CC 1979 §31-37]

All parts of the water line on the customer side of the meter yoke shall be kept in repair by the owner of such premises served. If such owner shall fail or refuse to keep such line or parts thereof in proper repair, service to such location may be discontinued.

Section 700.300. Right of Entry of City Engineer, Etc., For Purposes of Inspection — Users To Furnish Certain Information. [R.O. 2012 §700.300; CC 1979 §31-38]

Every person taking water from the City shall permit the City Engineer or his/her agent, at all reasonable hours, to enter the premises and building for the inspection of the lines and fixtures and to inquire how the water is used, and all users shall furnish such information as shall be reasonably necessary for determination of the use of water by the user.

Section 700.310. City Not Liable For Damages, Discontinuance of Service, Etc. — Right of City To Shut Off Water To Make Repairs. [R.O. 2012 §700.310; CC 1979 §31-39]

No claim shall be made against the City by reason of the breaking of any service pipe or fixtures or by reason of the failure of the supply of water at any time, nor from damage arising from shutting off the water supply for the purpose of making repairs to any part of the system. The right to shut off the water to make reasonable repairs is expressly reserved by the City.

Section 700.320. Attaching Hoses To Unmetered Hydrants, Faucets, Etc. — Generally. [R.O. 2012 §700.330; CC 1979 §31-42]

No person shall attach to a hydrant, faucet or other fixture any hose for the purpose of sprinkling or any other use, unless the water line is provided with a meter and backflow prevention device, except for the purpose of extinguishing a fire.

Section 700.330. Attaching Hoses To Unmetered Hydrants, Faucets, Etc. — Discontinuance of Use of Water Upon Sounding of Fire Alarm. [R.O. 2012 §700.340; CC 1979 §31-43]

All users engaged in the use of water as provided in Section 700.320 shall, upon the sounding of

the fire alarm, discontinue use of water from the system until such fire is extinguished.

Section 700.340. Emergency Use Restrictions. [R.O. 2012 §700.350; CC 1979 §31-44]

Upon notice to users, by publication or otherwise, the City may restrict the use of water by users when the same shall be necessary for protection of the public health, safety or welfare; provided, that such emergency shall be declared by the Council by ordinance.

Section 700.350. Permit For Water Connection Not To Be Granted Where Service Line Will Pass Through Premises Other Than Those To Be Served. [R.O. 2012 §700.360; CC 1979 §31-55]

No permit for a connection to the water system will be granted if the service line from the City main will pass over or through premises other than those to be served.

Section 700.360. Laying Service Pipe, Water Main, Etc., in Sewer Trench or Near Sewer Line. [R.O. 2012 §700.370; CC 1979 §31-56]

No service pipe, connection, water main or extension shall be laid in a sewer trench or within eighteen (18) inches of any sewer line.

Section 700.370. Brass Stop and Wastecock Required Within Walls of Building Supplied. [R.O. 2012 §700.380; CC 1979 §31-57]

Every service pipe entering the premises of any user shall be fitted with a brass stop and wastecock, easily accessible and within the walls of the building supplied, at such a point that all water may be drained out of the pipes and other fixtures in such building to prevent freezing, and any plumber installing such service line into any building shall make the location of such wastecock known to the inhabitants of such building.

Section 700.380. Inspection and Approval of Plumbing and Fixtures Prerequisite To Commencement of Service. [R.O. 2012 §700.390; CC 1979 §31-58]

All plumbing and fixtures installed in any building shall be inspected and approved by the City Engineer or other authorized representative of the City, before water service shall be commenced in such building.

Section 700.390. Protection and Backfilling of Excavations. [R.O. 2012 §700.400; CC 1979 §31-59]

All ditches for the laying of water lines shall be not less than two (2) feet deep. All excavations for the replacement or construction of water mains, extensions or service pipes shall be covered, and the surfaces shall be repaired and returned to their original condition. All excess material shall be removed. Water mains, extensions or pipes placed under sidewalks shall be tunnelled under and the opening replaced and repacked when such installation is completed. Whenever any excavation is made for the construction or installation of water mains, extensions or service pipes, the same shall be clearly marked with proper warning lights and shall be barricaded.

Section 700.400. Proper Sewage Treatment Facilities Required For Permanent Water Service. [R.O. 2012 §700.405; Ord. No. A-5984-A §1, 8-30-1994]

No permanent water service shall be furnished to any habitable building or structure unless said building or structure is connected to the City sanitary sewer system, or unless said building or structure is connected to a septic tank system or other private waste treatment facilities installed in accordance with the Building Code of the City of Monett. Any such septic tank system or private waste treatment facility shall be inspected and approved by the City Engineer and the City Building Inspector before such system or facility is completed.

Section 700.405. Private Water Wells. [Ord. No. 8382 §§1—5, 8-20-2015]

A. During the effective period of this Section, no person shall, within the City's jurisdictional boundary or within any property within such boundary, construct, extend, deepen or materially alter any private water well or other water supply connection to the underground water supply not constructed by and part of the City-owned waterworks systems.

B. During the term of this Section, no permit applications shall be processed and no development permits or licenses shall be issued for any activity prohibited by Subsection (A) of this Section.

C. This Section shall be in effect for three hundred sixty-five (365) days from its effective date, unless extended or shortened by motion or resolution of the City Council as determined by the Council to be necessary to:

1. Complete a study of the impact of private wells or other water well activity on the City public water supply system,

2. Obtain recommendations and conclusions, and

3. Implement any regulations or practices deemed in the public interest.

D. Any person drilling, or causing to be a drilled, a water well during the effective period of this Section shall be subject to the penalty as provided by the City Code for violations of City ordinance.

E. Any person who suffers or will suffer hardship or will be otherwise aggrieved as a result of application of this Section shall file application of appeal to the City Council for an exception to the Section before any such action shall be deemed final for purposes of judicial review. All appeals must be made in writing and filed with the City Council stating the specific exception sought and all relevant facts supporting the good cause for such exception, and the Council may, upon a showing of good cause, provided the public safety would not be threatened, grant an exception to the Section. Such appeal shall be deemed denied after thirty (30) days if no action is taken by the Council.

ARTICLE IV
Backflow Prevention and Cross-Connection Control

Section 700.410. Cross-Connection Control — General Policy. [R.O. 2012 §700.410; CC 1979 §31-65; Ord. No. A-5406 §1, 6-28-1990]

A. *Purpose.* The purpose of this Article is:

1. To protect the public potable water supply from contamination or pollution by

containing within the consumer's internal distribution system or private water system contaminants or pollutants which could backflow through the service connection into the public potable water supply system.

2. To promote the elimination, containment, isolation, or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures, and industrial-process systems.

3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

B. *Application.* This Article shall apply to all premises served by the public potable water system of the City of Monett, Missouri, hereinafter referred to as "City".

C. *Policy.* This Article will be reasonably interpreted by the City. It is the City's intent to recognize the varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.

C. The City shall be primarily responsible for protection of the public potable water distribution system from contamination or pollution due to backflow or contaminants or pollutants through the water service connection. The cooperation of all consumers is required to implement and maintain the program to control cross-connections. The City and consumer are jointly responsible for preventing contamination of the water system.

C. If, in the judgment of the City or its authorized representative, cross-connection protection is required through either piping modification or installation of an approved backflow prevention device, due notice shall be given to the consumer. The consumer shall immediately comply by providing the required protection at his/her own expense; and failure, refusal, or inability on the part of the consumer to provide such protection shall constitute grounds for discontinuing water service to the premises until such protection has been provided.

Section 700.420. Definitions. [R.O. 2012 §700.420; CC 1979 §31-66; Ord. No. A-5406 §1 (App. A), 6-28-1990]

As used in this Article, the following terms shall have these prescribed meanings:

AIR-GAP SEPARATION — The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the overflow level rim of the receptacle, and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel, but in no case less than one (1) inch.

AUXILIARY WATER SUPPLY — Any water source or system, other than the public water supply, that may be available in the building or premises.

BACKFLOW — The flow other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution system of a public water supply.

BACKFLOW PREVENTION ASSEMBLY — Any double check valve or reduced pressure principle backflow preventer having resilient-seated shutoff valves on both the upstream and downstream end and the necessary test cocks as integral parts of the assembly.

CONSUMER — The owner or person in control of any premises supplied by or in any manner connected to a public water system.

CONTAINMENT — Protection of the public water supply by installing a backflow prevention assembly or air-gap separation on the main service line to a facility.

CONTAMINATION — An impairment of the quality of the water by sewage, process fluids, or other wastes to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

CROSS-CONNECTION — Any physical link between a potable water supply and any other substance, fluid, or source, which makes possible contamination of the potable water supply due to the reversal of flow of the water in the piping or distribution system.

HAZARD, DEGREE OF — An evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

1. *Hazard, health.* Any condition, device or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.

2. *Hazard, plumbing.* A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention assembly.

3. *Hazard, pollutional.* An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

4. *Hazard, system.* An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

INDUSTRIAL PROCESS SYSTEM — Any system containing a fluid or solution, which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional, or plumbing hazard if introduced into a potable water supply.

ISOLATION — Protection of a facility's internal plumbing system by installing a backflow prevention assembly, air-gap separation, or other backflow prevention device on an individual fixture, appurtenance or system.

POLLUTION — The presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

PUBLIC POTABLE WATER SYSTEM — Any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

SERVICE CONNECTION — The terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

Section 700.430. Cross-Connections Prohibited. [R.O. 2012 §700.430; CC 1979 §31-67; Ord. No. A-5406 §1, 6-28-1990]

A. No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public potable or consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the City, and as required by the laws and regulations of the Missouri Department of Natural Resources.

B. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public potable or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved by the City and the Missouri Department of Natural Resources.

C. No water service connection shall be installed or maintained to any premises in which the plumbing system, facilities, and fixtures have not been constructed and installed using acceptable plumbing practices considered by the City as necessary for the protection of health and safety.

Section 700.440. Survey and Investigations. [R.O. 2012 §700.440; CC 1979 §31-68; Ord. No. A-5406 §1, 6-28-1990]

A. The consumer's premises shall be open at all reasonable times to the City, or its authorized representative, for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.

B. On request by the City or its authorized representative, the consumer shall furnish information on water use practices within his/her premises.

C. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his/her premises to determine whether there are actual or potential cross-connections to his/her water system through which contaminants or pollutants could backflow into his/her or the public potable water system.

Section 700.450. Type of Protection Required. [R.O. 2012 §700.450; CC 1979 §31-69; Ord. No. A-5406 §1, 6-28-1990]

A. The type of protection required by this Article shall depend on the degree of hazard which exists, as follows:

1. An approved air-gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard.

2. An approved air-gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public potable water system may be contaminated with a substance that could cause a system or health hazard.

3. An approved air-gap separation or an approved reduced pressure principle backflow prevention assembly or an approved double-check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollutional hazard not dangerous to health.

Section 700.460. Where Protection Is Required. [R.O. 2012 §700.460; CC 1979 §31-70; Ord. No. A-5406 §1 (App. B), 6-28-1990]

A. An approved backflow prevention assembly shall be installed on each service line to a consumer's water system serving premises where, in the judgment of the City or the Missouri Department of Natural Resources, actual or potential hazards to the public potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard.

B. An approved air-gap separation or reduced pressure principle backflow prevention assembly shall be installed at the service connection or within any premises where, in the judgement of the City or the Missouri Department of Natural Resources, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on the premises, would present an immediate and dangerous hazard to health should a cross-connection occur, even though such cross-connection may not exist at the time the backflow prevention device is required to be installed. This includes but is not limited to the following situations:

1. Premises having an auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the City, and the Missouri Department of Natural Resources.

2. Premises having internal cross-connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not cross-connections exist.

3. Premises where entry is restricted so that inspection for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross-connections do not exist.

4. Premises having a repeated history of cross-connections being established or re-established.

5. Premises, which due to the nature of the enterprise therein, are subject to recurring modification or expansion.

6. Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.

7. Premises where materials of a toxic or hazardous nature are handled such that if backsiphonage or backpressure should occur, a serious health hazard may result.

C. The types of facilities listed below fall into one or more of the categories of premises where an approved air-gap separation or reduced pressure principal backflow prevention assembly is required by the City and the Missouri Department of Natural Resources to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the City and the Missouri Department of Natural Resources.

1. Aircraft and missile manufacturing plants.
2. Automotive plants including those plants which manufacture motorcycles, automobiles, trucks, recreational vehicles and construction and agricultural equipment.
3. Potable water dispensing stations which are served by a public water system.
4. Beverage bottling plants including dairies and breweries.
5. Canneries, packing houses and reduction plants.
6. Car washes.
7. Chemical, biological and radiological laboratories including those in high schools, trade schools, colleges, universities and research institutions.
8. Hospitals, clinics, medical buildings, autopsy facilities, morgues, mortuaries and other medical facilities.
9. Metal or plastic manufacturing, fabrication, cleaning, plating or processing facilities.
10. Plants manufacturing paper and paper products.
11. Plants manufacturing, refining, compounding or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum, or petroleum products, pharmaceuticals, radiological materials or any chemical which would be a contaminant to the public water system.
12. Commercial facilities that use herbicides, pesticides, fertilizers or any chemical which would be a contaminant to the public water system.
13. Plants processing, blending or refining animal, vegetable or mineral oils.
14. Commercial laundries and dye works.
15. Sewage, storm water and industrial waste treatment plants and pumping stations.
16. Waterfront facilities including piers, docks, marinas and shipyards.
17. Industrial facilities which recycle water.
18. Restricted or classified facilities or other facilities closed to the supplier of water or the department.

19. Fire sprinkler systems using any chemical additives.

20. Auxiliary water systems.

21. Irrigation systems with facilities for injection of pesticides, herbicides or other chemicals or with provisions for creating back pressure.

22. Portable tanks for transporting water taken from a public water system.

23. Facilities which have pumped or repressurized cooling or heating systems that are served by a public water system, including all boiler systems.

Section 700.470. Backflow Prevention Assemblies. [R.O. 2012 §700.470; CC 1979 §31-71; Ord. No. A-5406 §1, 6-28-1990]

A. Any backflow prevention assembly required to protect the facilities listed in Section 700.460 shall be of a model or construction approved by the City and the Missouri Department of Natural Resources.

1. Air-gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one (1) inch.

2. A double-check valve assembly or a reduced pressure principle backflow prevention assembly shall be approved by the City, and shall appear on the current "list of approved backflow prevention assemblies" established by the Missouri Department of Natural Resources.

B. Existing backflow prevention assemblies approved by the City at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of this Article so long as the City is assured that they will satisfactorily protect the water system. Whenever the existing assembly is moved from its present location, or requires more than minimum maintenance, or when the City finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention assembly meeting the requirements of this Article.

Section 700.480. Installation. [R.O. 2012 §700.480; CC 1979 §31-72; Ord. No. A-5406 §1, 6-28-1990]

A. Backflow prevention assemblies required by this Article shall be installed at a location and in manner approved by the City and shall be installed at the expense of the water consumer.

B. Backflow prevention assemblies installed on the service line to the consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.

C. Backflow prevention assemblies shall be located so as to be readily accessible for maintenance and testing, protected from freezing. No reduced pressure principle backflow prevention assembly shall be located where it will be submerged or subject to flooding by any fluid.

Section 700.490. Inspection and Maintenance. [R.O. 2012 §700.490; CC 1979 §31-73; Ord. No.

A-5406 §1, 6-28-1990]

A. It shall be the duty of the consumer at any premises on which backflow prevention assemblies required by this Article are installed to have inspection, tests, and overhauls made in accordance with the following schedule or more often where inspections indicate a need.

1. Air-gap separations shall be inspected at the time of installation and at least every twelve (12) months thereafter.

2. Double-check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter.

3. Reduced pressure principle backflow prevention assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter.

B. Inspections, tests, and overhauls of backflow prevention assemblies shall be made at the expense of the water consumer and shall be performed by a State of Missouri certified backflow prevention assembly tester.

C. Whenever backflow prevention assemblies required by this Article are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

D. The water consumer must maintain a complete record of each backflow prevention assembly from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, and repairs. Records of inspections, tests, repairs, and overhauls shall be made available to the City upon request.

E. Backflow prevention assemblies shall not be bypassed, made inoperative, removed, or otherwise made ineffective.

Section 700.500. Violations. [R.O. 2012 §700.500; CC 1979 §31-74; Ord. No. A-5406 §1, 6-28-1990]

A. The City shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention assembly required by this Article is not installed, tested, and maintained in a manner acceptable to the City, or if it is found that the backflow prevention assembly has been removed or bypassed, or if an unprotected cross-connection exists on the premises.

B. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this Article to the satisfaction of the City.