

ORDINANCE NO. 53, 5th Series

AN ORDINANCE OF THE CITY OF INTERNATIONAL FALLS
AMENDING SECTION 3-40. RULES AND REGULATIONS
RELATING TO WATER SERVICE

THE CITY COUNCIL OF THE CITY OF INTERNATIONAL FALLS, MINNESOTA DOES
ORDAIN AS FOLLOWS:

Section 1. The Code of Ordinances, Section 3-40, Rules and Regulations Relating to Water Service, of the City of International Falls is hereby amended so as to read as follows with ~~strikethroughs~~ as deletions and underline as additions:

Sec. 3-40. – Rules and regulations relating to water service.

- ~~(a) *Deficiency of water and shutting off water.* The city is not liable for any deficiency or failure in the supply of water to customers whether occasioned by shutting the water off for the purpose of making repairs or connections or by any other cause whatever. In case of fire, or alarm of fire, water may be shut off to insure a supply for firefighting. In making repairs or construction of new works, water may be shut off at any time and kept off so long as may be necessary.~~
- ~~(b) *Repair of leaks.* It is the responsibility of the consumer or owner to maintain the service pipe from the main stop into the house or other building. In case of failure upon the part of any consumer or owner to repair any leak occurring in his service pipe within 24 hours after oral or written notice has been given the owner or occupant of the premises, the water may be shut off and will not be turned on until a reconnection charge has been paid and the water service has been repaired. When the waste of water is great or when damage is likely to result from the leak, the water will be turned off if the repair is not proceeded with immediately.~~
- ~~(c) *Abandoned services penalties.* All service installations connected to the water system that have been abandoned or, for any reason, have become useless for further service shall be disconnected at the main. The owner of the premises, served by this service, shall pay the cost of the excavation. The city shall perform the actual disconnection and all pipe and appurtenances removed from the street right of way shall become the property of the city. When new buildings are erected on the site of old ones, and it is desired to increase the old water service, a new permit shall be taken out and the regular tapping charge shall be made as if this were a new service. It is unlawful for any person to cause or allow any service pipe to be hammered or squeezed together at the ends to stop the flow of water, or to save expense in properly removing such pipe from the main. Also, such improper disposition thereof shall be corrected by the city and the cost incurred shall be borne by the person causing or allowing such work to be performed.~~
- ~~(d) *Service pipes.* Every service pipe must be laid in such manner as to prevent rupture by settlement. The service pipe shall be placed not less than eight feet below the surface in all~~

cases so arranged as to prevent rupture and stoppage by freezing. Frozen service pipes between the main and the building shall be the responsibility of the owner. Service pipes must extend from the curb stops to the inside of the building; or if not taken into a building then to the hydrant or other fixtures which they are intended to supply. A valve, the same size as the service pipe, shall be placed close to the inside wall of the building, ahead of the meter and well protected from freezing. Joints on copper tubing shall be flared and kept to a minimum. Not more than one joint shall be used for a service up to 70 feet in length. All joints shall be left uncovered until inspected. Minimum size connection with the water mains shall be one inch in diameter.

- (e) ~~*Private water supplies.*~~ No water pipe of the city water system shall be connected with any pump, well, pipe, tank or any device that is connected with any other source of water supply and when such are found, the city shall notify the owner or occupant to disconnect the same and, if not immediately done, the city water shall be turned off. Before any new connections to the city system are permitted, the city shall ascertain that no cross connections will exist when the new connection is made. When a building is connected to "city water" the private water supply may be used only for such purposes as the city may allow.
- (f) ~~*Restricted hours for sprinkling.*~~ Whenever the city shall determine that a shortage of water threatens the city, it may limit the times and hours during which water may be used from the city water system for lawn and garden sprinkling, irrigation, car washing, air conditioning, and other uses, or either or any of them. It is unlawful for any water consumer to cause or permit water to be used in violation of such determination after public announcement thereof has been made through the news media specifically indicating the restrictions thereof.
- (g) ~~*Private fire hose connections.*~~ Owners of structures with self-contained fire protection systems may apply for and obtain permission to connect the street mains with hydrants, large pipes, and hose couplings, for use in case of fire only, at their own installation expense and at such rates as the council may adopt by resolution as herein provided.
- (h) ~~*Opening hydrants.*~~ It is unlawful for any person, other than members of the fire department or other person duly authorized by the city, in pursuance of lawful purposes, to open any fire hydrant or attempt to draw water from the same or in any manner interfere therewith. It is also unlawful for any person so authorized to deliver or suffer to be delivered to any other person any hydrant key or wrench, except for the purposes strictly pertaining to their lawful use.
- (i) ~~*Unmetered service.*~~ Unmetered service may be provided for construction, flooding skating rinks, and any other purpose. Such service shall be at a duly adopted rate. Where it is difficult or impossible to accurately measure the amount of water taken, unmetered service may be provided and the unmetered rate applied; provided, however, that by acceptance thereof the consumer agrees to have the city estimate the water used. In so estimating the city shall consider the use to which the water is put and the length of time of unmetered service.
- (j) ~~*Code requirement.*~~ All piping, connections and appurtenances shall be installed and performed strictly in accordance with the Minnesota Plumbing Code. Failure to install or maintain the same in accordance therewith, or failure to have or permit required inspections

~~shall, upon discovery by the city, be an additional ground for termination of water service to any consumer.~~

~~(k) *Connection fees.* Service shall be furnished only after proper application has been made and connection fees paid in full.~~

~~(l) *Remote type water meters.* In all new construction using one inch size water meter, or smaller, or when, for any reason, a water meter is removed and replaced, a remote type water meter shall be installed at the expense of the owner.~~

~~(Ord. No. 42, 5th series, § 3, 4-22-21)~~

Sec. 3-40.1. Connection required.

- (a) The City shall regulate connection to public water, sanitary sewer and stormwater utility systems pursuant to Minnesota Statutes section 412.221.
- (b) It shall be unlawful for any person to install or hook up to a private water system to provide water for human consumption, irrigation or other domestic use, install or hook up to a private sanitary sewer system, or to hook up to private stormwater sewer and/or drainage system in the City, except in cases where the public water, sanitary sewer, or stormwater sewer and/or drainage systems are not accessible to the premises requesting installation or hookup.
- (c) The City Engineer shall determine if the public water, sanitary sewer, or stormwater sewer and/or drainage systems are accessible to the premises requesting installation or hookup to public systems.
- (d) If a public water supply system is accessible, and the connection is feasible, a service line must be installed to service the building or premises. When assessments are paid, the city will supply a water service line with curb stop according to current federal, state, and local regulations. The service line shall be sized according to what may be allowed under the current zoning requirements for the lot or parcel.
- (e) If there are extraordinary costs involved with supplying this service beyond what is allowed in the assessments or the owner wants a larger service, the costs shall be the responsibility of the owner. It shall be the responsibility of the owner to extend the service line into the building or premises, after which the owner shall assume ownership of the service line to the curb box/gate valve, except for the water meter.
- (f) When replacing or upgrading an existing service line, and working in public road right-of-way, hired contractors by owners are required to obtain a Right-Of-Way permit. Included in the replacement of any private service is the owner's responsibility and expense to reinstall any public road right-of-way (boulevard, sidewalk, curb, gutter, and street) to city specifications.
- (g) Upon inspection and approval by the utility, the city will assume ownership and maintenance of the new service line from the main up to and including the curb stop/gate valve.

- (h) The applicant for the building water permit shall notify the city when the water is ready for inspection and connection to the public sewer. The connection and inspection shall be made under the supervision of the superintendent or authorized representative thereof.
- (i) All excavations for building water installation shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work, shall be restored in a manner satisfactory to the city.
- (j) No person shall make a service connection with any public water unless the registered contractor under this chapter performs such work, and no permit shall be granted to any person except such registered contractor.
- (k) Any person desiring to make a service connection with satisfactory evidence that the applicant or employer is trained or skilled in the business and qualified to receive a license. All applications shall be referred to the superintendent for recommendation to the city. If approved by the city, such license shall be issued by the person so authorized upon the filing of a bond as hereinafter provided.
- (l) No work shall begin until a \$10,000.00 bond to the city approved by the council is filed with the city conditioned that the contractor will indemnify and save harmless the city from all suits, accidents, and damage that may arise by reason of any opening in the street, alley, or public ground, made by the contractor or by those in the contractor's employment for any purpose whatever, and that the contractor will replace and restore the street and alley over such opening to the condition existing prior to installation, adequately guard with barricades and lights and will maintain the same to the satisfaction of the superintendent, and shall conform in all respects to the rules and regulations of the city relative thereto, and pay all fines that may be imposed on the licensee by law.
- (m) The registration fee for making service connections is \$15.00. All registrations shall expire on December 31 of the registration year unless the registration is suspended or revoked by the city for cause. Upon failure to apply for a registration renewal prior to the expiration date thereof, the registration fee for the ensuing year shall be \$25.00.
- (n) The council may suspend or revoke any registration issued under this article for any of the following causes:
 - a. Giving false information in connection with the application for registration.
 - b. Incompetence of the contractor.
 - c. Willful violation of any provisions of this article or any rule or regulation pertaining to making of service connections.

Sec. 3-40.2. Public system extension on private property.

- (a) When public water and sewer mains and laterals extend onto private property, the city shall establish an easement for the ability to operate and maintain the system. All easements shall remain clear of any fences, buildings, gardens, trees shrubs and extensive landscaping, to facilitate the egress of city equipment into the easement for maintenance of the systems.

(b) The city will not be liable to repair or replace any such items removed to complete repairs on the system. Likewise, any roadway restoration may be completed by the city and billed to the owners or association. Upon completion of the repair the excavation will be filled with Class 5-binder material to grade if the owners or association would not like to have the city repair the roadway.

Sec. 3-40.3. Deficiency of water; shutting off water.

- (a) The city is not liable for any deficiency or failure in the supply of water to customers whether occasioned by shutting the water off for the purpose of making repairs, connections, emergency demand reduction procedures, or by any other cause whatever.
- (b) In case of fire, or alarm of fire, water may be shut off to insure a supply for firefighting. In making repairs or construction of new works, water may be shut off at any time and kept off so long as may be necessary.
- (c) The city reserves the right to shut off a service line for nonpayment of bills according to state and local regulations.

Sec. 3-40.4. Repair of service leaks.

- (a) The consumer owns the service line to the curb box/gate valve, including the connections to such devices on the owner's side. It is the responsibility of the consumer to repair and maintain private service pipe from the curb box/gate valve up to and throughout the house or commercial building except the water meter, which remains the responsibility of the utility.
- (b) In case of failure upon the part of any consumer or owner to repair any leak occurring in his service pipe within 24 hours after oral or written notice has been given the owner or occupant of the premises, the water may be shut off and will not be turned on until a reconnection charge has been paid and the water service has been repaired. When the waste of water is great or when damage is likely to result from the leak, the water will be turned off if the repair is not preceded with immediately.
- (c) The city utility will be responsible for service leaks from the main up to and including the curb box/gate valve. Included in this is the replacement responsibility and expense to restore any public road right-of-way (boulevard, sidewalk, curb, gutter, and street) to city specifications. In the course of these repairs, the city will not replace any private infrastructure and items such as (landscaping, trees, driveway surfacing, etc.). Boulevard areas will be brought up to grade, raked out, and seeded down with grass seed. Driveway areas will be brought up to grade with Class V and it shall be the owner's responsibility to replace any surfacing.

Sec. 3-40.5. Abandoned services.

- (a) All service installations connected to the water system that have been abandoned, demolished or removed or, for any reason that have become useless for further service shall be disconnected at the owner's side of the curb stop. The owner of the premises served by this service shall pay the cost of the excavation and restoration. A registered contractor shall perform the actual disconnection, the house side of the curb stop shall be installed with a mechanical fitting. The utility shall perform an inspection of the disconnection.
- (b) If a new building is constructed on a building site where there is access to a previously used existing service, and with utility department approval, a new permit may be taken out and the appropriate charges shall be made as if this were a new service. If the existing service does not meet the needs of the new building, or the new owner is not willing to take responsibility for the existing service, it shall be abandoned, and a new service installed at the property owner's expense.
- (c) It is unlawful for any person to cause or allow any service pipe to be hammered or squeezed together at the ends to stop the flow of water, or to save expense in improperly removing such pipe from the main. Also, the city shall correct such improper disposition and the cost incurred shall be borne by the person causing or allowing such work to be performed.

Sec. 3-40.6. Service pipes.

- (a) No more than one house or building shall be supplied from one service connection unless approved in writing by the city utilities department.
- (b) Every service pipe must be laid in such manner as to prevent rupture by settlement. The service pipe shall be placed not less than eight feet below the surface in all cases so arranged as to prevent rupture and stoppage by freezing.
- (c) Service pipes must extend from the public utility to the inside of the building; or if not taken into a building, then to the hydrant or other fixtures which they are intended to supply.
- (d) In the event of an existing service pipe freezing, it is the responsibility of the owner to hire a contractor for thawing.
- (e) Valves, the same size as the service pipe, shall be placed within six feet of, and within sight of, where the service pipe enters the building, ahead of the meter as well as immediately after the meter and well protected from freezing.
- (f) Joints on copper tubing shall be flared or compression-fitted and kept to a minimum. No joints shall be used for a service up to 100 feet in length, and then only one joint for each additional one foot in length. All joints shall be left uncovered until inspected. Minimum service size connection to the water mains shall be one inch in diameter.

(g) Refer to the International Falls Technical Specification and Development Standards for Additional Requirements.

Sec. 3-40.7. Water services to commercial and residential buildings with multiple tenants.

- (a) As with any other service, a single service line sized for the building usage and a meter will be installed into the building. If the owners elect to service their multiple tenants with more than one building meter, the meters shall be located together in a common space readily accessible for meter maintenance, and with separate service lines plumbed to the respective tenants.
- (b) Each separate meter and service line shall have a lockable full flow valve that can be locked with a water department padlock for service and nonpayment of bills without having to shut off the whole building. If this common space does not include the electric meter, each water meter will have a remote water meter installed at the location of the electric meter with an 18-to-20-gauge solid copper, three or four strand (bell type) wire connecting the meter with the remote.
- (c) Each remote meter shall be labeled and identified as to which remote is for which apartment, unit, or business.

Sec. 3-40.8. Prohibited uses or restricted hours.

Whenever the city shall determine that a shortage of water threatens the city, it may entirely prohibit water use or limit the times and hours during which water may be used from the city water system or surface water for lawn and garden sprinkling, irrigation, car washing, air conditioning, and other uses, or either or any of them. It is unlawful for any water consumer to cause or permit water to be used in violation of such determination after public announcement thereof has been made through the news media specifically indicating the restrictions thereof. This includes irrigation systems that pull from surface water such as lakes, holding ponds, streams, etc.

Sec. 3-40.9. Private fire hose connections.

Owners of structures with self-contained fire protection systems may apply for and obtain permission to connect the street mains with hydrants, large pipes, and hose couplings, for use in case of fire only, at their own installation expense and at such rates as the council may adopt by resolution.

Sec. 3-40.10. Opening hydrants.

It is unlawful for any person, other than members of the fire department or other person duly authorized by the city, in pursuance of lawful purpose, to open any fire hydrant or attempt to draw water from the same or in any manner interfere therewith. It is also unlawful for any person so authorized to deliver or suffer to be delivered to any other person any hydrant key or wrench, except for the purposes strictly pertaining to their lawful use.

Sec. 3-40.11. Unmetered service.

Unmetered water services on the city distribution system within the city are prohibited. Unmetered service may be provided for construction, flooding skating rinks, and any other

purpose. Such service shall be at a duly adopted rate. Where it is difficult or impossible to accurately measure the amount of water taken, unmetered service may be provided and the unmetered rate applied; provided, however, that by acceptance thereof the consumer agrees to have the city estimate the water used. In so estimating the city shall consider the use to which the water is put and the length of time of unmetered service.

Sec. 3-40.12. Water meters.

- (a) All water meters shall be supplied by the city, installed at the expense of the property owner, and the city shall thereafter own such meter. The water meters must be readily accessible. All repairs of water meters not resulting from normal usage shall be the responsibility of the property owner. Commercial water meters will be charged a maintenance fee per the **current** fee schedule.
- (b) Remote-type water meters. In all new construction using one-inch size water meter, or smaller, or when, for any reason, a water meter is removed and replaced, a remote-type water meter shall be installed at the expense of the owner.

Sec. 3-40.13. Compliance with state plumbing code required outside of Right-of-Way.

All piping, connections and appurtenances shall be installed and performed strictly in accordance with the state plumbing code. Failure to install or maintain the same in accordance therewith, or failure to have or permit required inspections shall, upon discovery by the city, be an additional ground for termination of water service to any consumer.

Sec. 3-40.14. Connection Fees.

Service shall be furnished only after a proper application has been made and connection fees paid in full.

Sec. 3-40.15. Backflow prevention.

- (a) Approved devices or assemblies for the protection of the potable water supply must be installed at any plumbing fixture or equipment where backflow or back-siphonage may occur and where a minimum air gap cannot be provided between the water outlet to the fixture or equipment and its flood level rim.
- (b) Any device or assembly for the prevention of backflow or back-siphonage installed shall have first been certified by a recognized testing laboratory and have a certification number clearly visible on the device. AWWA, ASSE, and USC are the certified labs recognized by the city. These devices must be readily accessible.
- (c) Devices or assemblies installed in a potable water supply system for protection against backflow shall be maintained in good working condition by the person having control of such devices or assemblies. The devices or assemblies shall be tested at the time of installation, repair or relocation and not less than on an annual schedule thereafter, or more often when required by the city. Where found to be defective or inoperative, the device or assembly shall be repaired or replaced. No device or assembly shall be removed from use or relocated, or other device or assembly substituted, without the approval of the city.

- (d) Backflow preventers shall be inspected frequently after initial installation to assure that they have been properly installed and that debris resulting from piping installation has not interfered with the functioning of the assembly.
- (e) **All backflow assemblies must be tested upon installation, at the required annual intervals thereafter per State of Minnesota Plumbing Code and/or the manufactures minimum recommended interval.**
- (f) **The Owner is required to have all testable backflow prevention assemblies tested at intervals not to exceed twelve (12) months from the date of the previous test date and shall be submitted to the International Falls Engineering Department no more than 30 days after the test date.**
- (g) **Accredited backflow prevention assembly testers shall be approved by the State of Minnesota Department of Labor and Industry**

Sec. 3-40.16. Cross connection control.

- (a) Cross connection between potable water systems and other systems or equipment containing water or other substances of unknown or questionable safety are prohibited, except when and where, as approved by the city having jurisdiction, suitable protective devices such as air breaks, break tanks, RPZs or equal, are installed, tested, and maintained to insure proper operation on a continuing basis.
- (b) All industrial and commercial customers must have their facilities inspected and audited by a qualified accredited person from an agency approved by the administrated authority. The inspection is to determine whether all applicable plumbing fixtures or processes that require backflow and cross connection control devices have the appropriate control devices installed and that they are installed properly and that all appropriate maintenance has been performed to date.
- (c) The audit will show a listing of all such devices, make and model, serial number, and ASSE, AWWA or USC number. The accredited person or agency shall submit a signed and certified report to the city water services department, and facility that the person or agency is doing the work for. These records will be kept for a period of seven years. A new inspection of the entire facility is required whenever a substantial modification to the existing facility is done. A new audit is required whenever control devices, including beverage dispensers, are replaced or added.
- (d) The city may require more frequent inspections or audits if deemed necessary to assure protection of the potable water system.

Sec. 3-40.17. Private wells.

- (a) The city is required to comply with the state mandated wellhead protection program. The city must protect the aquifer from contamination from private as well as public sources within its jurisdiction. The city must also protect the public water system from contaminating cross-connections made from private wells. These connections are very hard to regulate. For that reason, the city prohibits the installation of private water wells where

city water is provided within a reasonable distance. This does not include wells in existence at the effective date of the ordinance from which this section is derived.

- (b) Large areas needing irrigation are exempt from the prohibition of private wells upon application and approval of the city administrator. These areas would include golf courses, athletic fields, and large expanses of lawn under common ownership.
- (c) Existing potable water wells are allowed only if no water pipe of the city water system is connected with any pump, well, pipe, tank, or any device that is connected with any other source of water supply. When such are found, the city shall notify the owner or occupant to disconnect the same and, if not immediately done, the city water shall be turned off.
- (d) Before any new connections to the city system are permitted, the city shall ascertain that no cross-connections will exist when the new connection is made. When a building is connected to city water the private water supply may be used only for such purposes as the city may allow. A licensed well contractor must properly seal any existing private wells that are not being used or are abandoned.
- (e) Wells and borings, Minn. R. Chapter. 4725, is adopted by reference as though set forth verbatim herein, one copy of which shall be marked as an official city copy and kept on file in the office of the city clerk to inspection and use by the public. It is unlawful to construct any private water well except in accordance with the adopted administrative rules.

Sec. 3-40.18. Additional rules and regulations.

The city council may, by resolution, adopt such additional rules and regulations relating to placement, size and type of equipment as it, in its discretion, deems necessary or desirable. Copies of such additional rules and regulations shall be kept on file in the office of the city clerk and uniformly enforced.

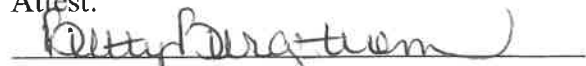
Section 2. This ordinance amendment shall be effective March 1, 2024 after publication.

Passed by a vote of 5/5ths of the City Council of the City of International Falls, Minnesota this 20th day of February, 2024.



Harley M. Droba, Mayor

Attest:


Betty Bergstrom, City Administrator

Passed its first reading this 5th day of February, 2024.

Passed its second and final reading this 20th day of February, 2024.

Published: Friday, March 15, 2024