

WHEREAS, in the process of such review, and based upon public comments and complaints, the Mayor and City Council have determined that Albion City Code, Title 7, Chapter 6, regarding water system connections to the City's water main is not conducive to the best interests of the general public health and welfare as presently constituted, in that private parties would be working directly on the City's potable water system, rather than City workers; and

WHEREAS, the Mayor and the City Council have determined to change ordinance language to reflect the more appropriate course of conduct for connecting water meters to the City water main line and appropriately allocating costs associated therewith.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AS FOLLOWS:

Section 1. That Title 7, Chapter 6, Section 7-6-2 shall be repealed in its entirety, and be hereby replaced with the following:

7-6-2: CONNECTION TO WATER SYSTEM REQUIRED, CONNECTIONS SPECIFICATIONS AND REQUIREMENTS, AND CONNECTION FEES:

A. For the purpose of promoting health, safety and the general welfare of the City, a water system, as defined by Idaho Code Section 50-1029, shall be constructed, extended, maintained, repaired, replaced, operated and removed within the corporate City limits of the City by which to provide an adequate public waterworks and water supply system for domestic, commercial, industrial, fire protection and other municipal purposes and uses.

B. Every building, structure or water user within the corporate limits of the City shall be connected by a water service line to a public water line or main where such water line or main adjoins the lot, tract or parcel of land on which such building or structure stands.

C. Installation of Service Connections and Service Lines: All service connections from the water mains to and including the water meter shall be installed by and at the expense of the City, and shall remain City property. The service lines from the meter to the premises served shall be installed by, and at the cost of, the owner of the property to be served or the applicant for the service; however, such installation shall be under the supervision and inspection of the authorized personnel of the City. There shall be no physical connection between the municipal domestic water distribution system and any other pipes, pumps, hydrants, private wells, or tanks.

D. Repairs: All repairs for service lines and plumbing systems of buildings shall be made by and at the expense of the owner of the premises served. The City may, in case of any emergency, repair any service lines and if this is done, the cost of the repair work shall be repaid to the City by the owner of the premises served. The City, acting by and

through its authorized representatives, may decide what, in its sole discretion, constitutes an emergency. Nothing contained herein shall obligate the City to initiate repair work to privately owned portions of the water system regardless of the existence of an emergency or not.

The City may at any time be shut off from the water mains without notice for the purpose of making repairs, extensions or other necessary purposes, and persons having boilers or other appliances or installations supplied by direct pressure from the water mains, are cautioned against danger of explosion or collapse and the City shall not be responsible for the safety of boilers or other installations or appliances on the premises of any water consumer.

E. Excavations: Excavations for installing service lines or repairing the same shall be made in compliance with any ordinance or regulatory provisions relating to making excavations in streets; provided, that it shall be unlawful to place any service line in the same excavation with, or directly over, any drainpipe or sewer pipe.

F. Connection Fees: The City shall establish, by Resolution, connection fees for property owners or applicants connecting to the City's public water system.

Section 2. Amending Section 7-6-4 as follows, with the green underlined language being added, and red strikethrough language being repealed:

7-6-4: INDEPENDENT WATER SERVICE LINE AND METER REQUIRED: The Water Main Line and Water Service Line(s) shall be so arranged that there is a separate and independent water service line and meter to each property owner. After the effective date of this Ordinance, a separate and independent water service line and meter shall be provided for every new property owner connecting to the water system of the City of Albion. Separate service lines and meters are not required for each trailer space in overnight trailer courts, nor for each cabin in cabin courts; however, separate water service lines and meters are required for trailer houses on individual lots or for long-term trailer rental units in mobile home courts. The City may in its sole discretion allow a property owner to have more than one water service line providing water to its property provided however, that the property owner shall pay for the meter(s), which shall be installed by the City, and shall have the additional meters installed at its expense and The property owner shall provide all required excavation, backfill, street repair and other service line and connection costs, but such work shall be under the supervision and inspection of the authorized personnel of the City.

Section 3. Amending Section 7-6-12 as follows, with green underlined language being added, and red strikethrough language being repealed:

7-6-12: INSTALLATION AND MAINTENANCE OF WATER SERVICE LINES: ~~As part of the construction of the new water system in 1992, the City will construct an appropriately sized water service line at the City's expense which shall run from the main line to the property line of each individual property owner who was receiving service from the City's prior water system.~~ All other property owners desiring water service whether for an existing dwelling unit, commercial facility, or a newly constructed facility shall be required to obtain all permits, licenses, etc., required by this Ordinance and shall be required to install his own water service line as explained in the following paragraphs: When a permit for a water service line has been granted, the water tap at the main line shall be installed by the City at the City's expense. The actual service line and all associated excavation, backfill, street repair, and piping shall be completed by the property owner at his expense. ~~Thereafter, or after the water service line has been installed, each water service line within the public right-of-way or easement shall be maintained by the City at its expense and kept within and under its exclusive control and jurisdiction.~~ All water service lines within any public right-of-way or easement shall be constructed by the property owner requesting the water service, and in any new subdivision they may be installed as part of the construction of the new water distribution system within said subdivision and provided further that said water and service lines are constructed, inspected, tested, and certified as being in conformance with the City standard drawings and specifications governing the construction of water service lines. Water Service lines may also be installed by contract in conjunction with City-sponsored projects or when, in the opinion of the Water Superintendent, it is in the City's best interests to have or allow said water service lines to be installed by other than City personnel.

Section 4. Amending Section 7-6-13 as follows, with green underlined language being added, and red strikethrough language being repealed:

7-6-13: INSTALLATION AND MAINTENANCE OF WATER METERS: The City of Albion shall provide to all property owners making new connections to the water system one appropriately sized water meter, and meter box. ~~It shall thereafter be the responsibility of each individual property owner to~~ Authorized City personnel will install this water meter, and meter box in accordance with the City standard drawings and specifications and as directed by the City Water Superintendent.

Section 5. The provisions of this ordinance are severable, therefore, should any section or portion thereof be declared invalid by a court of competent jurisdiction, the remaining portions of this ordinance shall continue in full force and effect.

Section 6. This ordinance specifically repeals any ordinance of the City of Albion that is in conflict herewith.

Section 7. This ordinance shall take effect and be in full force from and after its required reading, passage, approval and publication.

Section 8. The members of the City Council, by motion and vote and pursuant to Idaho Code § 50-902, waived and dispensed with the requirement of three (3) separate readings of this Ordinance, by title and in full. Therefore, this ordinance shall take effect and be in full force from and after its first and only reading, passage, approval and publication.

PASSED this 2nd day of July, 2019, by the City Council of the City of Albion, Idaho.

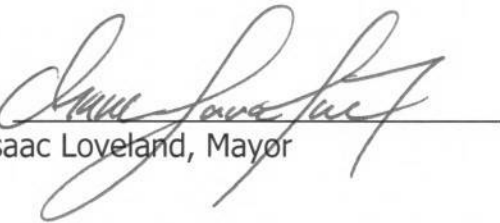
APPROVED this 2nd day of July, 2019, by the Mayor of the City of Albion, Idaho.

City of Albion, Idaho

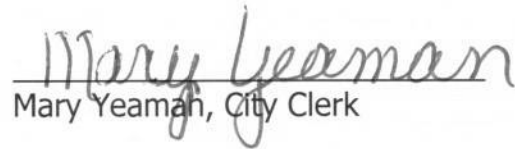
ATTEST:

By:

Isaac Loveland, Mayor



Mary Yeaman, City Clerk



CERTIFICATION

I, Mary Yeaman, the duly appointed Clerk for the City of Albion, Idaho do hereby certify that the foregoing document is a true and correct copy of Ordinance No. 2019-07-01, adopted by the Mayor and City Council of Albion, Idaho, on the 2nd day of July, 2019 and that the original of said document is in my possession as part of the permanent minutes of the City Council of the City of Albion, Idaho.

Dated this 2nd day of July, 2019.

Clerk of the City of Albion, Idaho



Mary Yeaman, Clerk

SUMMARY OF ORDINANCE NO. 2019-07-01
City of Albion, Idaho

This is the summary of City of Albion ordinance 2019-07-01 amending Albion City Code Title 7, Chapter 6, by repealing section 7-6-2 in its entirety, and proposing new language for connection to water system required, connections specifications and requirements, and connection fees; amending section 7-6-4 providing the that City will install meters at property owner's expense and under supervision of authorized City personnel; amending section 7-6-12 repealing that City will construct water service lines at City expense and that City will maintain service lines in the City right of way or easement; amending section 7-6-13 to provide that water meters will be installed by authorized City personnel rather than property owner; providing a severability clause; repealing or rescinding all Albion City Code provisions in conflict with this ordinance; and setting an effective date.

The full text of City of Albion Ordinance No. 2019-07-01 is available at the City Office, 225 South Main, Albion, Idaho. A copy of the full ordinance will also be provided to any citizen, upon personal request during usual City business hours as posted at the City Office, excepting City recognized holidays.

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

DATED this 2nd day of July, 2019.


City of Albion

By:


Isaac Loveland, Mayor

ATTEST:

By:


Mary Yeaman, Clerk