

**AN ORDINANCE REVISING WATER AND SEWER UTILITY REGULATIONS FOR THE CITY OF GLADSTONE, MISSOURI, AND AMENDING ALL PRIOR ORDINANCES INCONSISTENT THEREWITH PARTICULARLY ORDINANCE NOS. 4.116 AND 1.693, 2.615, 2.858, 3.082, 3.555, 3.755, AND 3.948.**

**WHEREAS,** Ordinance No. 4.116, as amended, adopted Rules and Regulations for the Combined Water and Sewer Utility; and

**WHEREAS,** consistent with the goals of the City Council to respond to the needs of the citizens through the efficient delivery of City services, existing Water Rules and Regulations have been extensively reviewed and revisions are recommended as per Exhibit A.

**WHEREAS,** following review of the established Water and Sewer the Gladstone City Council has determined that the increased costs of providing services and activities justifies revisions of the regulations and certain fees and charges;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:**

**SECTION 1. REVISED WATER AND SEWER REGULATIONS ESTABLISHED.**

The revised WATER AND SEWER REGULATIONS as set out in the attached Exhibit "A" are hereby adopted.

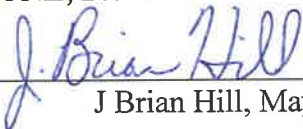
**SECTION 2. EFFECTIVE DATE.**

The WATER AND SEWER REGULATIONS as set out in Exhibit "A" shall become effective upon passage.


**SECTION 3. SEVERABILITY.**

The fees imposed by Section 1, if this ordinance is deemed to be separate and severable and if any such fees are found by a court of competent jurisdiction to be illegal, invalid, unconstitutional, or not within the power of the City to impose, such shall not be deemed to invalidate any of the other such fees imposed by this ordinance.

**PASSED, SIGNED AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 9<sup>th</sup> DAY OF JUNE, 2014.**

  
\_\_\_\_\_  
J Brian Hill, Mayor

ATTEST:

  
\_\_\_\_\_  
Ruth E. Bocchino, City Clerk

First Reading: June 9, 2014

Second Reading: June 9, 2014

# CITY OF GLADSTONE



## WATER & WASTEWATER UTILITY REGULATIONS

*Effective July 1, 2014  
Ord. 4.272*

**CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS**

**TABLE OF CONTENTS**

<b><u>Section</u></b>		<b><u>Page</u></b>
<b>I.</b>	<b><u>GENERAL REGULATIONS</u></b>	<b>1</b>
<b>II.</b>	<b><u>CUSTOMER SERVICES</u></b>	<b>3</b>
<b>III.</b>	<b><u>DEPOSITS AND BILLINGS</u></b>	<b>4</b>
<b>IV.</b>	<b><u>WATER LEAKS</u></b>	<b>7</b>

*Effective July 1, 2014  
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CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

The City of Gladstone administers and operates the Combined Water and Wastewater System (CWSS). All water is processed and distributed through the CWSS infrastructure. All wastewater is distributed to the City of Kansas City, Missouri where it is processed. Gladstone contracts with the City of Kansas City for wastewater processing that adheres to Federal Environmental Protection Agency guidelines and requirements.

The CWSS System is administered by the Public Works Department and includes the Water Production Division, the Water Operations and Maintenance Division, and the Wastewater Collection Division. The CWSS billing is processed by the Accounting Division of the Finance Department located at City Hall. Any billing or customer service related activities within these regulations may be referenced as Customer Service.

I. GENERAL REGULATIONS

1. No person shall turn the water on or off at any street valve, corporation cock, curb cock, or other street connection, or disconnect any meter without the consent of the Public Works Department. Service rendered under application, contract or agreement, may be discontinued by the Public Works Department for any of the following reasons after one (1) written notice:
  - A. For willful or indifferent waste of water due to any cause.
  - B. For failure to protect from injury or damage any meter or service connection, or for failure to protect and maintain the customer's service pipe or fixtures on the property of the customer in a condition satisfactory to dispense potable water.
  - C. For destruction, tampering and/or manipulating by the customer or others with the knowledge of the customer, with any meter connections, service pipe, curb cock, seal or any other appliance of the Public Works Department controlling or regulating the customer's water supply.
2. Service rendered without application, contract or agreement may be discontinued by the Public Works Department without written notice. This shall include instances in which a device other than a City of Gladstone water meter is installed by anyone other than an employee of the City of Gladstone Public Works Department. Such instances will be immediately brought to the attention of Public Safety.
3. No person shall open any fire hydrant except for the legitimate purpose of extinguishments of fire, without written consent of the Public Works Department.
4. In order to maintain proper and sufficient pressures in the distribution system for fire protection and other purposes, the Public Works Department reserves the right, at all times, to determine, limit and regulate, in a reasonable and non-discriminatory manner, the maximum amounts of water any customer may use.

CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

5. The Public Works Department reserves the right to shut off the water in its mains at any time, without notice, for making repairs, extensions or alterations, but will, so far as possible, notify customers of the intention to shut off.
6. The Public Works Department shall make every reasonable effort to eliminate interruption of service and when such interruption does occur, will endeavor to re-establish service as quickly as possible. Whenever the service is interrupted for the purpose of working on the distribution system or the station equipment, the customers affected by such interruption will be notified in advance whenever it is possible.
7. All meters, meter pits, and appurtenances with the pit, two inches (2") and under, shall be purchased from the City. The City shall tap the water main and set the new meter. All other materials, including the service main, meter pit, and related appurtenances shall be installed by a licensed plumber. Meters in excess of two inches (2") shall be purchased from the City. All other materials shall be purchased and installed by a licensed plumber and shall be maintained and remain the property of the City upon completion of the installation and necessary inspections.
8. The meters furnished by the Public Works Department shall remain its property and the owners of the building or structure wherein they are located shall be held responsible for their safekeeping and liable for any damage thereto resulting from the negligence, carelessness or willful conduct of said owner, his agent or tenant. The Public Works Department may refuse to supply water until such damage is paid.
9. The responsibility for the different water and wastewater service lines shall be as follows:

WATER

Customer responsibility: Any and all customer service lines from the house side of the meter connection, including the connection to the angle valve and/or angle check valve, but not including the valve.

City responsibility: Any and all service lines from the main to and including the water meter and the angle valve and/or angle check valve located at the meter, but not the house side connection to the valve.

WASTEWATER

Customer responsibility: Connection to sewer main (tap) and all customer service lines from the connection to the main to the structure.

City responsibility: Sewer main.

10. The Public Works Department shall have the right to determine on the basis of the customer's stated flow requirements, the type and size of meter to be installed and

CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

locations of it. If flow requirements decrease subsequent to installation and the customer requests a smaller meter, the cost of installing such meter shall be borne by the customer.

11. Water meters shall be installed at or near the right of way line and shall be placed in a meter box or vault in accordance with specifications of the Public Works Department.
12. If the Public Works Department is required to replace any existing street service connections with larger pipe, the consumer shall pay the entire cost, less salvage.
13. All meters shall be maintained by the Public Works Department at its expense insofar as ordinary wear is concerned, but damage due to hot water, freezing, or other external causes arising out of or caused by the customer's negligence, carelessness, or willful conduct shall be paid for by the customer.
14. The customer shall promptly notify the Public Works Department of any defect in or damage to the meter, its connections, or housing.

II. CUSTOMER SERVICES

1. All services shall be metered and the Public Works Department shall have the right to place a meter on any existing service pipe and charge for water service by meter measurement. Private fire service meters of the so-called "dry" type are not required to be metered, but may be privately metered by the property owner, if desired.
2. Application for a new street service connection or application for water service through an existing street service connection may be made in person at the City Hall, or by letter detailing the prospective customer's name, date of birth, Social Security number, address at which the water is to be connected, daytime telephone number, and mailing address if it is different from the service address. Applicants will also be required to indicate if they "rent" the residence and provide complete current landlord contact information as listed under RsMO 535.185. RsMO 250.140 provides for payment by landlord in the event of non-payment by renter. Renters will also be asked to provide a copy of the lease showing the address and indicating their right to occupy the residence.
3. Each building or structure shall be supplied through a separate connection to the main.
4. All new customer service pipes and street service connections shall be installed as set forth in the plumbing code as adopted by the City of Gladstone.
5. The Public Works Department shall not permit a street service connection until the customer's service pipe is installed in accordance with existing plumbing codes and Public Works Department specifications.

CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

6. There shall be a charge for any new service connection to a main in accordance with the following table:
  1. 5/8" x 3/4" meter: \$495.00 (parts) + \$150.00 (labor) = \$645.00 plus applicable fees for required plumbing permits.
  2. 1" meter: \$635.00 (parts) + \$150.00 (labor) = \$785.00 plus applicable fees for required plumbing permits.
  3. 1 1/2" meter: \$2,395.00 (parts) + \$335.00 (labor) = \$2,730.00 plus applicable fees for required plumbing permits.
  4. 2" meter: \$3,190.00 (parts) + \$450.00 (labor) = \$3,640.00 plus applicable fees for required plumbing permits.
  5. Larger than 2" meter: Cost of meter plus applicable fees for required plumbing permits. Call Public Works (816) 436-2200 for quote.
7. The customer shall make all changes in the service pipe for the meter outlet or curb shut-off valve, required on account of changes of grade, relocation of mains, or other causes.
8. No attachment to the customer's service pipe shall be made between the meter and the street main.
9. Any changes in the location of an existing service at the request of the customer shall be made at the expense of the customer.

III. DEPOSITS AND BILLING

1. The City of Gladstone shall require each residential customer applying for a new water and wastewater service account to make a deposit of Fifty dollars (\$50.00) to guarantee payment of outstanding charges.
  - A. Deposits made to guarantee payment of outstanding charges will be applied to final bill.
  - B. Upon showing proof that they are age 65 or older Senior Citizens with a water account in their name and reside at that location will be eligible for a discount in the amount of Two dollars (\$2.00) per month.
2. Each commercial customer shall make a cash deposit equal to twice the average bill calculated by actual usage or on estimated usage for that type of business; but not less than Fifty dollars (\$50.00).
  - A. Commercial customers may post a corporate surety bond for required deposits over One Hundred Fifty Dollars (\$150.00). The bond must be by a surety company authorized to do business in the State of Missouri.

CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

- C. Deposits made to guarantee payment of outstanding charges will be applied to final bill.
3. Customers requesting a meter for a fire hydrant will be required to make a cash deposit of One Thousand Dollars (\$1,000.00). Hydrant meter deposits are refundable only after the meter has been removed and inspected by the Utility Maintenance Supervisor. Once the inspection has been completed, the deposit will be refunded less water usage and assessed damage to meter. If the amount of water usage and/or damage to meter is more than the deposit, the customer will pay said amount on or before the due date of the bill. Late payment and delinquent processing will follow the same rules as regular billing as stated in paragraph III, 16 in these regulations.
  4. There will be a \$25.00 service charge on all returned checks written to the City of Gladstone for water and wastewater payments. At such time as the City of Gladstone receives the returned check, the customer will receive a twenty-four (24) hour notice to pay to the City of Gladstone the amount of the returned check plus the service charge or service may be discontinued. If the service is discontinued, an additional reconnect fee of Twenty-five Dollars (\$25.00) will be added to the balance and must be paid before service is restored.
  5. Any customer who has made application for water service to a building or structure shall be liable for all charges for services furnished to the building or structure, until the customer has notified Customer Service to discontinue the service, and the City shall have the power to collect such charges from any, or all, of said persons as applicable under RsMo 250.140.
  6. If, at the request of the customer, service is connected or disconnected during hours other than the CWSS field crew's regular business hours (8:00 am to 4:00 pm, Monday through Friday), the customer shall pay a One Hundred Dollars (\$100.00) reconnect fee.
  7. Each customer is responsible for furnishing Customer Service with their correct address. FAILURE TO RECEIVE BILLS WILL NOT BE CONSIDERED A VALID REASON FOR NON-PAYMENT or reason to permit an extension of the date when the account would be considered late.
  8. Bills and notices relating to the Public Works Department or its business will be mailed or delivered to the mailing address indicated on the customer's application, unless the customer notifies Customer Service of a change of address. The customer may choose paperless billing by notifying Customer Service of the correct email address. If this option is chosen, it is the customer's responsibility to notify the Customer Service promptly of any changes to the email address.



CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

9. Any change in the identity of the contracting customer at a building or structure shall require a new application. Exceptions to this are as follows: If the contracting customer is deceased the widow/widower may assume the account without further application, or, if an adult child of the deceased customer is living in the house, he/she may assume the account on presentation of a certified death certificate.
10. Any person owing a late or delinquent amount from any previous location within the City must make full payment of the past-due account before a new water contract shall be approved.
11. Payments may be made at the City Hall in person, through the night depository located at City Hall, by mail, online via the City's website, or by bank draft.
12. Bank drafting will be offered to all City of Gladstone water and wastewater customers having an existing banking account. Customers will be required to make application for this service and provide the City of Gladstone with a voided check on the account from which the water bill will be drafted. In the event of two denied payments on the customer's bank account, the City of Gladstone reserves the right to discontinue this payment option.
13. Budget Billing will be offered to new and existing customers having at least twelve (12) months of consumption history with the City of Gladstone. The customer must request budget billing, fill out the proper application and have the application approved before beginning the program. Adding the bills for the previous twelve (12) months and dividing the total by eleven (11) and adding a percentage factor for any anticipated rate increases in the next year will calculate the averaged bill. Each September the City will "settle up" the account and recalculate a new averaged amount for the next year. During the "settle up" months, deferred balances must be paid by the customer or, if there is a credit, refunded or credited to the next bill by the City of Gladstone. Collection, late and delinquent procedures for Budget Billing shall be the same as for regular billing as stated in paragraph III, 9 in these regulations and paragraph III, 14 in these regulations.
14. A separate base charge and usage charge shall be calculated for each meter installation.
15. The Public Works Department shall have the right to read meters and render bills monthly, bi-monthly or quarterly, and such bills shall be due and payable on the due date indicated on the bill.
16. All cycle bills for service shall bear a due date. The cycle bill due date will be the 15th of the month, or if the 15th is on a weekend or holiday, the first business day following the 15th. All payments not received in the billing office by the due date on the cycle bill will be considered late and a penalty of \$2.50 or five percent (5%) of the amount of the late bill, whichever is greater, will be added to the account. The penalty shall be applicable to

CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

the total current charges, including water service and commodity charges, sewerage service and commodity charges and primacy fee.

17. Any payment agreements will carry a fee of \$7.50 per agreement.
18. A disconnect warning notice will be mailed to all customers whose payment has not been received by the City of Gladstone 7 days after the original due date. The disconnect notice will bear a due date that is twenty-one days after the original due date. If no payment is received by the City of Gladstone by the disconnect notice due date, the service shall be subject to turn-off at 8:00 am the day immediately following the disconnect notice due date. A delinquent fee of twenty-five dollars (\$25.00) will be added to the account. In addition, effective with the second offense and any offense thereafter, a deposit adjustment, estimated at twice the average current monthly billing for a Gladstone water customer or \$150, must be paid before water service can be reinstated.
19. The Public Works Department shall have the right to discontinue service and shall not be required to restore service until all unpaid accounts due from the customer to the City of Gladstone under any contract have been paid in full, together with all penalties, reconnect fees, and deposit adjustments assessed to the accounts as previously stated. Accounts paid prior to 5:00 p.m. on the date of turnoff for nonpayment will be reconnected the same day. Payments after 5:00 will be reconnected the next business day unless the customer requests and pays an additional \$100 for an after-hours connection as detailed in item 6, above.
20. All accounts with a balance of less than Thirty-five dollars (\$35.00), including any penalties, will be carried over until the next billing cycle without being subject to discontinuance of service, however they will still be considered late and all late fees shall apply.
21. All active accounts will be charged a minimum bill whether or not there was any usage on the account, and no credit shall be allowed for any cause unless the customer has requested discontinuance of service and the water has been shut off by the Public Works Department for the period involved.

IV. WATER LEAKS

1. The Public Works Department shall in no event be liable for any damage or inconvenience caused by reason of any break, leak or defect in the customer's service pipe or fixtures.
2. Any repairs or maintenance necessary on the customer's service pipe or any pipe or fixture in or upon the customer's property, including the connection to the angle valve

CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

located at the meter, shall be performed by the customer at his expense and risk. Such pipe and fixtures shall be maintained in good condition and free from all leaks, and failure on the part of the customer to do so may cause the water supply to be discontinued.

3. In the event of a leak in the customer's underground service pipe upon the customer's property, including the connections to the angle valve located at the meter, the following policy shall be followed:
  - A. Consideration for adjustments shall be made only when the bill reflects one and one-half (1 ½) times the consumption of a normal usage reflected in the account history and the customer presents evidence that a bona fide leak did exist and written proof that adequate repair has been made.
  - B. Normal usage shall be defined as that provided by a comparison of previous usage during comparable seasons and months. Adjustments shall be made only on the basis of current usage compared to the history.
  - D. Only one (1) adjustment shall be considered or granted to any customer during any twelve (12) month period.
  - E. No adjustments shall be made for toilet leaks, malfunctioning faucets, automatic clothes washer, dishwasher, water air-conditioning equipment or sprinkler system heads.
  - F. When there has been excess water usage because of a leak for reasons other than those set out in the preceding paragraph, for which a customer requests adjustment of his bill, and where such leakage has caused more than one and one-half (1 ½) the normal, as above, the Director of Finance or designated representative may adjust the customer's bill by reducing it by not to exceed fifty percent (50%) of the amount over and above the normal usage.
  - G. Adjustments in the billing may be made only if a leakage is reported and confirmed within a regular billing period.
  - H. The Director of Finance or designated representative must approve any leakage adjustments, prior to being made.
4. A one (1)-time credit within a twelve (12) month time period may be granted for accounts with extremely high usage (more than 1 ½ times the normal usage, as above) for unknown reasons. The Director of Finance or designated representative must approve these adjustments, prior to being made.

CITY OF GLADSTONE, MISSOURI  
WATER & WASTEWATER UTILITY REGULATIONS

5. In the case of a disputed account involving the accuracy of a meter, the customer may request that a meter be tested by a third party. There shall be a charge for each test as in the following table:

5/8" x 3/4" \$50 (test & freight) + \$50 (labor) = \$100

1" \$55 (test & freight) + \$50 (labor) = \$105

1.5" \$95 (test & freight) + \$100 (labor) = \$195

2" \$105 (test & freight) + \$100 (labor) = \$205

3" \$145 (test & freight) + \$400 (labor) = \$545

4" \$170 (test & freight) + \$400 (labor) = \$570

6" \$195 (test & freight) + \$400 (labor) = \$595

6. Whenever any test by the Public Works Department of a meter while in service shows such meter to have an average error of more than five percent (5%) on the test streams, the meter will be replaced at no expense to the customer and the meter test charge will be refunded.
7. If a meter fails to register, or if the Public Works Department is unable to gain access to a customer's property, the Public Works Department may estimate the customer's bill based on the average consumption of that customer.
8. The Public Works Department may at any time remove any meter for routine tests, repairs and replacement.