

ORDINANCE NO. 1441-20

AN ORDINANCE RELATING TO WATER SERVICE; AMENDING TUALATIN MUNICIPAL CODE CHAPTER 3-3 TO CREATE WATER SERVICE PERMITS; AND CREATING NEW PROVISIONS

WHEREAS, the City operates a water utility;

WHEREAS, certain projects, constructions sites, contractors, and others may need access to water from hydrants or other temporary connections; and

WHEREAS, the City wishes to create certain permits to provide temporary water service for water haulers, contractors, and others.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC 3-3-060 (Temporary Service) and TMC 3-3-070 (Hydrant Service) are deleted in their entirety.

Section 2. TMC 3-3-060 (Temporary Water Service) is created to read as follows:

TMC 3-3-060 – Temporary Water Service.

(1) A person may not use a temporary connection to receive water from a City water source without first obtaining a permit from the City. A permit issued under this section is only valid at the connection location and duration of time specified by the City in the permit.

(2) Temporary water rates, permit fees, and any other related fees will be as established by resolution of the City Council.

(3) Temporary water service permits are only available for properties located within the corporate limits of the City of Tualatin.

(4) To obtain a temporary water service permit from the City, a person must:

(a) Provide the name, address, and contact information of the person or business receiving the water;

(b) Provide connection location and date(s) and time(s) the water connection is to be utilized;

(c) Pay all applicable permit fees; and

(d) Provide any other information the City Manager, or designee, deems necessary or appropriate to administer the permit.

(5) Temporary water service permits are subject to the following requirements:

(a) The temporary water service permit is non-transferable valid for one year. The permit may be renewed for one additional one-year period for a maximum of two years;

- (b) Temporary water service will cease upon expiration of the permit;
- (c) The permit holder must pay all meter installation fees, permit fees, applicable deposits, water use fees, and comply with any other requirements or rules required by the City Manager related to temporary water service;
- (e) The maximum meter size for temporary water service is two inches;
- (f) A backflow device is required to be installed on the water source before a person may receive temporary water service;
- (g) The permit holder must inform any subsequent occupant of the property receiving the temporary service that the property is subject to a temporary water service permit; and
- (h) Regular service will not be installed until final building inspection and application for regular service is made with the City.

Section 3. TMC 3-3-063 (Temporary Fire Hydrant Service) is created to read as follows:

TMC 3-3-063 - Temporary Fire Hydrant Service.

- (1) A person may not use a temporary hydrant connection to receive water from a City water source without first obtaining a permit from the City. A permit issued under this section is only valid at the connection location and duration of time specified by the City in the permit.
- (2) Temporary hydrant service rates, permit fees, and any other related fees will be as established by resolution of the City Council.
- (3) Temporary hydrant services are only available for properties located within the corporate limits of the City of Tualatin.
- (4) To obtain a temporary hydrant service permit from the City, a person must:
 - (a) Provide the name, address, and contact information of the person or business receiving the water;
 - (b) Provide connection location and date(s) and time(s) the water connection is to be utilized;
 - (c) Pay all applicable permit fees; and
 - (d) Provide any other information the City Manager, or designee, deems necessary or appropriate to administer the permit.
- (5) Temporary hydrant service permits are subject to the following requirements:
 - (a) The temporary hydrant service permit is non-transferable and valid for six months. The permit may be renewed for an additional 6-month period for a maximum of one year;
 - (b) Temporary hydrant service cannot be used to supplement undersized water services or be used on an ongoing basis;

- (c) Temporary hydrant service will cease upon expiration of the permit;
- (d) The permit holder must pay all meter installation fees, permit fees, applicable deposits, water use fees, and comply with any other requirements or rules required by the City Manager related to temporary water service;
- (e) Hydrant meters will be delivered and installed by City staff and locked to a preapproved hydrant for use for the duration of the permit; and
- (f) Regular service will not be installed until final building inspection and application for regular service is made with the City.

(6) Upon termination of a temporary hydrant service permit, the meter and all equipment provided by the City must be returned to the City in the same condition as it was received. If the meter has not been returned to the City within ten days from the date of permit expiration, the City may retain any remaining deposit. Fee for water use, and/or the daily rental fee may still be billed in addition to the deposit when a hydrant meter is not returned.

(7) All funds placed on deposit for the hydrant meter or other equipment will be applied to charges owed to the City. Deposited funds that exceed charges will be returned to the permit holder.

Section 4. TMC 3-3-065 (Water Fill Station Service) is created to read as follows:

TMC 3-3-065 – Water Fill Station Service.

(1) A person may not receive water from a City Water Fill station without first obtaining a permit from the City. A permit issued under this section is only valid for the amount of water and the connection location specified by the City in the permit.

(2) Water fill station rates, permit fees, and any other related fees will be as established by resolution of the City Council.

(3) To obtain a water fill station service permit from the City, a person must:

- (a) Provide the name, address, and contact information of the person or business receiving the water;
- (b) Provide the date(s) and time(s) the water connection is to be utilized, and estimated water needed;
- (c) Pay all applicable permit fees; and
- (d) Provide any other information the City Manager, or designee, deems necessary or appropriate to administer the permit.

(4) Water fill station service permits are subject to the following requirements:

(a) The water fill station service permit is non-transferable and valid for six months. The permit may be renewed for additional 6-month periods. There is no limit on the number of renewals.

(b) Water fill station service will cease upon expiration of the permit;

(c) The permit holder must pay all meter installation fees, permit fees, applicable deposits, water use fees, and comply with any other requirements or rules required by the City Manager related to temporary water service.

Section 5. TMC 3-3-070 (Damages, Liability, and Violations Related to Temporary, Fire Hydrant, or Water Fill Stations) is created to read as follows:

TMC 3-3-070 Damages, Liability, and Violations Related to Temporary, Fire Hydrant, or Water Fill Stations.

(1) A permit holder, as provided in TMC 3-3-060 (Temporary Water Service), TMC 3-3-063 (Temporary Fire Hydrant Service), or TMC 3-3-065 (Water Fill Station Service), is liable to the City for all damages to a meter, meter box, hydrant, or other City equipment or infrastructure, regardless of cause, including any improper use, damage from freezing temperatures, and any unauthorized water used by another person. A permit holder must promptly pay the repair or replacement costs associated with any damage. Failure of a permit holder to promptly pay for such damages is grounds for suspension of all City water service.

(2) Violation of any provision of TMC 3-3-060 (Temporary Water Service), TMC 3-3-063 (Temporary Fire Hydrant Service), or TMC 3-3-065 (Water Fill Station Service) is a civil infraction and subject to a fine of up to \$1,000. Each day, and each day that a violation continues, is a separate civil infraction.

(3) The remedies provided herein are in addition to any other remedy provided by law.

Section 6. Effective Date. As provided in the Tualatin Charter, this ordinance is effective 30 days from the date of adoption.

Adopted by the City Council this ____ day of July, 2020.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder