

TITLE V: PUBLIC WORKS

Chapter

- 50. WATER AND SEWER REGULATIONS
- 51. SOLID WASTE COLLECTION

CHAPTER 50: WATER AND SEWER REGULATIONS

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GENERAL PROVISIONS

§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY. The City of Bloomfield, Kentucky, acting by and through its City Council or by and through such other body as shall be the governing body of the city under the laws of the state at any given time.

CUSTOMER. Refers to a property owner or his agent who has agreed to purchase water and/or sewer service from the city.

MANAGER. Refers to the Manager, Superintendent, or other person duly employed and authorized by the city to supervise the operation of the system.

SYSTEM. The waterworks and sewer system of the city, as now or hereafter constituted.
(Ord. passed 9-30-91)

§ 50.02 APPLICATION FOR SERVICE.

New customers must make written application for water and/or sewer service at the City Hall during normal business hours. The application, including service received thereunder, is not assignable by the customer. A deposit and signed contract are required. The required deposit shall be returned after one year contingent on a satisfactory payment record and compliance with the contract during the said one year. Previous/existing customers, having a satisfactory payment history and compliance with previous contracts, who are applying for a new or additional service may have the deposit waived.
(Ord. passed 9-30-91; Am. Ord. 2014-98, passed 12-8-14)

§ 50.03 OWNERSHIP OF LINES AND METERS.

The city shall own all lines, meters, cut-off valves and other water and sewer equipment as shall be paid for by the city.
(Ord. passed 9-30-91)

§ 50.04 PURCHASE AND USE OF WATER.

(A) Each customer shall be entitled to purchase from the city, pursuant to such agreements as may from time to time be provided and required by the city, such water as the customer may desire, subject,

however, to the provisions of this chapter and to such further rules and regulations as may be prescribed by the city, provided, however, that should a customer sell or dispose of a portion of his property or subdivide the same, he/she, or the new owner of each such new tract, may not demand water and taps without paying connection fees for each such tract to be served.

(B) In the event that the total water supply shall be insufficient to meet all of the needs of the customers, or in the event that there is a shortage of water, the city or its Manager may prorate the water available among the various customers, on such basis as is deemed equitable by the city or its Manager, and may also prescribe a schedule of hours covering use of water and require adherence thereto or prohibit the use of water for specified purposes, for such appropriate period of time as may be necessary under the circumstances.

(Ord. passed 9-30-91)

§ 50.05 NON-SEWER FACILITIES PROHIBITED.

(A) It shall be unlawful for any person to construct or maintain or permit to be constructed or maintained any outdoor toilet, privy, vault, cesspool, septic tank, or other similar contrivance for the reception of sewage on any lands owned by such person, or under his control, which abut upon a sewage collection line in any public street, alley, or other easement or through which a sewage collection line passes or to which a sewage collection line is hereafter available. All such outdoor toilets or privies shall be removed and all such vaults, cesspools, septic tanks, or other similar contrivances for the reception of sewage shall be closed or filled or otherwise removed from the properties described above within 90 days after such sewage collection service becomes available.

(B) All such privies, surface toilets, or other means of casting or depositing sewage into a container above or below the surface of the ground or upon or into the soil or into any running or percolating stream of water or into any cistern or well whereby the soil or any surface or subsurface waters is contaminated with such sewage are hereby declared to constitute a public nuisance and their use or maintenance for a period of more than 90 days following the availability of a sewage collection line to the property is hereby prohibited.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.06 PROPERTY OWNERS REQUIRED TO INSTALL TOILETS.

Each owner of a house, building or property used for human occupancy, employment, recreation, or other purposes, situated within the city and to which sewer service is made available by the city, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with such available public sewer in accordance with the requirements of this chapter.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.07 SEWER INSTALLATION COSTS TO BE BORNE BY PROPERTY OWNERS.

All costs and expenses incident to the installation and connection of a building sewer shall be borne by the owner, who shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. All connections shall be made under the supervision of the Superintendent of the sewer system or other duly authorized official of the city.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.08 UNSANITARY DEPOSIT OF GARBAGE AND DISCHARGE OF SEWAGE TO NON-SEWER FACILITIES PROHIBITED.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the city, any garbage or other objectionable waste, or to discharge to any natural outlet within the city, any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided under the supervision of the Manager or other duly authorized city official.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.09 DEPOSITING INFLAMMABLE, IMPROPER SUBSTANCES IN SEWER SYSTEM PROHIBITED.

No substances shall be placed or discharged into the municipal sewer system which will create a combustible, gaseous, explosive or inflammable condition in the system, nor shall any substances or objects be placed or discharged into the municipal sewer system which will not dissolve and which will thus cause an obstruction and clogging within the system. No petroleum products shall be placed or discharged into the municipal sewer system.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.10 SPECIAL USES OF SEWER SYSTEM.

In the event that a building or premises discharging sewage, water, or other wastes into the municipal sewer facilities, uses water supplied on other than a metered basis from either a private or public water supply, then in each such case the owner or occupant may be required to cause a water meter or other measuring device to be installed, acceptable to the Manager.

(Ord. passed 9-30-91)

§ 50.11 SPECIAL METERS FOR USAGE NOT RELATED TO WATER.

In the event any building or premises uses water in excess of 10,000 gallons per month as shown by the water meter readings for two consecutive months, and it can be shown that a substantial portion

of the water as so measured does not and cannot enter the municipal sewer facilities, then the Manager may determine, in such manner as may be found practicable, the amount of water entering the sewers, in which event the sewer rate or charge shall be based thereon, or the Manager may require or permit the installation of additional meters or measuring devices in such manner as to determine the quantity of water or sewage actually entering the municipal sewer facilities, in which case the sewer rate or charge shall be based thereon.

(Ord. passed 9-30-91)

§ 50.12 UNUSUAL SEWAGE DISCHARGES.

In the event the sewage, water, or other liquid wastes being discharged into the municipal sewer facilities from any building or premises contains unduly high concentrates of any substances which add to the operating costs of the municipal sewer facilities, then special rates, rentals, or charges may be established, charged, and collected as to such building or premises, or the owner or other interested party may be required to specially treat such sewage, water, or other liquid wastes before it is discharged into the municipal sewer facilities.

(Ord. passed 9-30-91)

§ 50.13 ESTABLISHMENT OF SPECIAL CLASSIFICATIONS.

Whenever it is determined by the Manager to be necessary to classify any commercial institutions or industries by reason of the unusual purpose for which water is used, or by reason of the character of the sewage, water, or other liquid wastes discharged therefrom, or whenever the established schedules of rates and charges for any reason are not applicable, then special rates or other charges may be established by the governing body of the city, and any person, firm, or corporation being dissatisfied with the established schedules or rates and charges by reason of peculiar or unusual use of occupancy of any premises, and consequently alleging peculiar or unusual uses of water, may file application with the governing body of the city or with any other board or body of the city which may be in charge and control of the municipal waterworks and sewer systems, for special classification rates and charges.

(Ord. passed 9-30-91)

§ 50.14 KENTUCKY LAWS INCORPORATED BY REFERENCE.

All applicable state statutes which now or may hereafter exist are incorporated herein and made a part of this chapter, and the city may use any powers therein contained, in addition to those herein set out.

(Ord. passed 9-30-91)

§ 50.15 RESTRICTIONS ON AMENDMENTS.

This chapter shall not be amended without the permission of the Farmers Home Administration, United States Department of Agriculture (the "FmHA"), so long as the FmHA is the owner or insurer of any bonds issued by the city and payable from the revenues of the system.
(Ord. passed 9-30-91)

TAPS AND CONNECTIONS

§ 50.25 WATER TAPS AND CONNECTIONS.

Upon customer application to the city and payment made of tapping or connection fees the city shall determine whether it is feasible to provide water service to a customer. The city shall install, maintain, and operate a main distribution pipeline or lines from the system's source of water supply and shall further install and maintain, at the city's expense, such portion(s) of the necessary water service lines as may be needed to bring water from a water main to the lot or easement line of a customer; provided, however, that if the necessary water service line from the water main to the water meter of a customer is unusually long, as determined by the Public Works Superintendent, within guidelines fixed by the city, the customer may be required to pay a portion of the cost of such service line. The expense borne by the city in any event shall include the necessary tap, fittings, and shut-off valve, which items shall belong to the city. The water line and valves beyond the city owned meter is the customer's responsibility and expense. The minimum earth cover of the customer's service shall be 30 inches and a cutoff valve on the customer's side of the service is required to be installed upon new tapping or connection. The Public Works Superintendent shall determine the size and kind of service the city or agent of the city shall install. **NO BREAKING OR ENTERING INTO UTILITY LINES OF THE CITY SHALL BE MADE BY ANY PERSON, FIRM, OR CORPORATION EXCEPT THE PUBLIC WORKS SUPERINTENDENT OR AGENT OF THE CITY.**

(Ord. passed 9-30-91; Am. Ord. 2014-98, passed 12-8-14)

§ 50.26 ABUTTING OWNERS MUST CONNECT TO SEWER LINES.

(A) All owners, tenants, and occupants of dwellings, houses, apartments, hotels, motels, mobile homes, house trailers, mobile home parks, trailer camps, manufacturing or commercial establishments, or any other building of any kind or nature situated on a lot or lots, within the city limits, through which any sewage collection line has been or is hereafter installed, or which abuts upon any street, alley or easement within the city limits in which there is hereafter installed a sewage collection line, or to which property a sewage collection line is extended, shall within 90 days following the date on which such sewage collection line is placed in operation, connect therewith all sanitary sewage drain pipes of such dwellings, houses, apartment, hotels, motels, mobile homes, house trailers, mobile home parks, trailer camps, manufacturing or commercial establishments or other buildings, with the sanitary sewage

collection line, conveying thereby all of the sewage therefrom into the sewer system, such connections to be made in accordance with such rules and regulations as the city may from time to time duly establish. The failure to make such connection is hereby declared unlawful and to constitute a nuisance.

(B) Each owner, tenant, and occupant of similar property outside the city limits, who is connected to the city water system and receives water service from the city, shall, within 90 days following the date on which the city sends written notice to such party that a city sewage collection line is available to such property, connect such property to such sewage collection line, in accordance with such rules and regulations; and the city shall cut off the water supply to any such owner, tenant, and/or occupant failing to make such connection.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.27 SEWER CONNECTIONS REQUIRED FOR NEW BUILDINGS.

All architects, contractors, builders, or other persons, before commencing the erection of any building or other improvement capable of emitting liquid wastes or sewage, on any lot or parcel of land abutting on a street, alley or easement in which there may be hereafter installed and maintained any such sewage collection line, or on any lot or parcel of land through which there may be hereafter installed a sewage collection line, or to which a sewage collection line is made available, shall before erecting or installing such building or improvement, exhibit to the City Council, or to such official as the City Council may designate, satisfactory evidence that a means has been provided or will be provided for connecting the sanitary sewage drain pipes from such building or other improvement with such sewer collection line. No stormwater or other surface or subsurface water drain shall be connected with any sanitary sewer line hereafter constructed, nor shall any stormwater, surface, or subsurface water be otherwise introduced into any such sanitary sewage collection line.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.28 SEWER CONNECTION TO CONFORM TO REGULATIONS.

All sewer connections shall be made under such regulations as the city may establish. Failure to effect such connection is hereby declared to be unlawful and shall constitute a nuisance.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.29 STORMWATER DRAIN CONNECTIONS PROHIBITED.

No stormwater drain shall be or remain connected or be connected with any separate sanitary sewer heretofore or hereafter constructed as, or made a part of, the sewer system of the city, nor shall any stormwater be otherwise introduced into any such separate sanitary sewer.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.30 SEWER TAPS TO BE MADE ONLY BY CITY.

No sewer taps (breaking or entering into sewer lines of the city) shall be made by any person, firm, or corporation except the city. The city will, upon application to the city and payment of any tapping or connection fee, as may be prescribed by the city, tap the city sewer and run a lateral to the property line of any applicant where sewers are available, and any and all installations or attachments thereto shall be made by the applicant under the directions and supervision of the city, provided that nothing herein shall be construed as requiring the city to furnish a sewer connection or sewer services to any premises where a city sewer is not available at the time that the application is made.

(Ord. passed 9-30-91) Penalty, see § 50.99

§ 50.31 SEPTIC FACILITIES NOT CONNECTED TO SEWERS PROHIBITED.

It shall be unlawful for any person to construct or maintain a privy, well, vault, cesspool, cistern, septic tank, or similar contrivance for the reception of flowable sewage where sewers are available, and all such privies, wells, vaults, cesspools, cisterns, septic tanks, facilities, and similar contrivances shall be removed or disconnected by the owners and the occupants of premises to which sewers are made available in the city as soon as the same are made available to such premises. All such privies, facilities, and other means of casting or depositing sewage into a container above or below the surface of the ground, or upon or into the soil or into any running or percolating stream of water or into any cistern or well, whereby the soil is contaminated with such sewage, are hereby declared to be unlawful and to constitute a nuisance.

(Ord. passed 9-30-91) Penalty, see § 50.99

PRIVATE LATERAL SEWER LINES**§ 50.35 TESTING AND NOTICE OF DEFECTIVE PRIVATE LATERAL.**

(A) The Manager may periodically perform special tests to confirm the integrity of the sanitary sewer system, including smoke testing, dyed water testing, air testing, hydraulic testing, closed circuit television inspection, and other testing and inspection techniques approved by the Manager.

(B) The Manager shall give the property owner not less than 24 hours written notice before city personnel enter private property to conduct an inspection or test, unless:

(1) City personnel are conducting an investigation of a complaint or responding to a customer request to test or inspect a private lateral; or

(2) Sewage is exposed on the property in a manner that creates a potential public health hazard.

(C) The Manager may identify defects in a private lateral that allow extraneous flow or debris to enter the private lateral or the discharge of sewage on the property, or a condition that may interfere with the proper operation of the private lateral.

(D) A defect under this section may include:

- (1) Evidence of pipe or joint deterioration;
- (2) Root intrusion into a pipe that separates a pipe joint or enlarges an existing crack;
- (3) A misaligned pipe segment, sag or lack of positive gradient;
- (4) Lack of a necessary cleanout cap or manhole cover;
- (5) A downspout, drain, or other connection that allows storm water or other extraneous water to enter the sanitary sewer system; or
- (6) A flaw that allows the discharge of sewage on the property or the introduction of extraneous water into the sanitary sewer system.

(E) If the Manager identifies a defective private lateral or a condition that interferes with the property operation of the private lateral, the Manager shall send the property owner written notice of the defect or condition, including a statement that the private lateral must be replaced or repaired, or the condition corrected, not later than the 120th day after the date of the notice.

(Ord. 2016-109, passed 4-11-16)

§ 50.36 POST-REPAIR AND POST-REPLACEMENT INSPECTION AND TESTING REQUIREMENTS.

(A) After a property owner has repaired or replaced a defective private lateral, the Manager shall:

- (1) Inspect the private lateral to determine that it complies with appropriate wastewater service connection standards; and
- (2) Test the private lateral in a manner approved by the Manager.

(B) If a private lateral fails the post-repair or post-replacement inspection or test, the property owner shall perform additional repairs as required by the Manager to correct the defect.

(Ord. 2016-109, passed 4-11-16)

§ 50.37 CITY ACTION TO CORRECT VIOLATION; DISCONTINUANCE OF SERVICE.

If the property owners fails or refuses to repair or replace the private lateral, or correct the condition, described in the notice, the city may take the following action:

(A) Repair or replace the private lateral or correct the condition. The city may:

- (1) Contract for repair, replacement or correction; and
- (2) Expend city funds; and
- (3) Charge the owner for work performed by the City; and
- (4) Either:

(a) Assess the actual costs against the property; or

(b) If the property owner is the utility customer, apply a charge to the customer's utility bill;

(B) Discontinue service pursuant to §50.47.

(Ord. 2016-109, passed 4-11-16)

REGULATIONS; PROHIBITIONS; CONDITIONS

§ 50.45 APPLICATION OF PROVISIONS.

The regulations, prohibitions, and conditions set out in this subchapter shall be deemed to supplement the bond ordinance and the water and sewer rate ordinance enacted by the city in connection with the aforesaid financing.

(Ord. passed 9-30-91)

§ 50.46 SUPERVISION BY MANAGER.

All taps and connections to the water mains and sewer of the city shall be made by and or under the direction and supervision of the Manager.

(Ord. passed 9-30-91)

§ 50.47 DISCONTINUANCE OF SERVICE.

(A) Water service may be discontinued by the Manager for any violation of any rule, regulation, or condition of service and especially for any of the following reasons:

(1) Misrepresentation in the application or contract as to the property or fixtures to be supplied, or as to additional use of water and/or sewer service, or as to unusual or extraordinary use of sewer facilities.

(2) Failure to report to the city additions to the property or fixtures to be supplied, or of additional use of water and/or sewer service.

(3) Resale or giving away of water.

(4) Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep same in suitable state of repair.

(5) Tampering with meter, meter seal, service, or valves, or permitting such tampering by others.

(6) Connection, cross-connection, or permitting the same, of any separate water supply to premises which receive water from the city.

(7) Nonpayment of bills.

(B) Any customer desiring to discontinue the water and/or sewer service to his premises for any reason must give notice of discontinuance in writing at the city hall; otherwise, a customer shall remain liable for all water used and water and/or sewer services rendered to such premises by the city unless the notice is received by the city.

(Ord. passed 9-30-91)

§ 50.48 DELIVERY OF BILLS AND NOTICES.

Bills and notices relating to the conduct of the business of the city will be mailed to the customer at the address listed on the application unless a change of address has been filed in writing with the city. The city shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill or any performance required in the notice.

(Ord. passed 9-30-91)

§ 50.49 BILLING PROCEDURE; DELINQUENCY; ADJUSTMENTS.

(A) *Billing.* Meters will be read monthly between the fifteenth and twentieth of each month.

(1) Bills for water and sewer service are due and payable by cash, check, money order, automatic draft or any other city-approved transaction at City Hall at 141 Depot Street, P.O. Box 204, Bloomfield, Kentucky, 40008, by the fifteenth of the month; the past due date.

(2) If a deadline date falls on a Sunday or legal holiday, such deadline shall not expire until the next succeeding secular day.

(3) Rental property utility bills are the responsibility of the property owner and all bills will be in the property owner's name. Effective April 28, 2008 any rental properties which become vacant previously listed in the renter's name will revert back to the property owner's name and shall remain therein. Property owners are responsible for any rental property unpaid bills.

(B) *Delinquency.* All bills not paid on or before the past due date shall be deemed delinquent, and the city shall serve a customer the written final notice of the delinquency with a 10% penalty due on the unpaid bill. If a delinquent bill is not paid within ten days after the date of such notice and such customer's delinquency is thereby established, the water supply to the customer shall be discontinued without further notice. Delinquent accounts requiring discontinuation of utility service may extend service if prior written certification is submitted and must be signed by a public health officer, in charge of the customer's or dependent's health care, and such certification indicates that discontinuance of utility service would aggravate an existing illness or infirmity of the affected resident. Service shall be extended until the affected resident can make other living arrangements or until ten days elapse from the time of the city's receipt of the certification, whichever occurs first.

(C) *Adjustments.* It is the responsibility of the customer to notify the water company office if a leak has occurred and feels an adjustment is warranted. The Public Works Superintendent will determine if an adjustment is granted. Inside Bloomfield city limits, when it is determined that an adjustment is warranted due to a water leak, the sewer bill will be reduced to a minimum charge and water billed at regular rates only if the leak exceeds 10,000 gallons. Outside Bloomfield city limits, when it is determined that an adjustment is warranted due to a water leak, the customer will pay the difference between the average consumption and amount billed at the supplier water-purchase-rate per thousand only if the leak exceeds 10,000 gallons. The cost per thousand will be adjusted as the purchase of water from the supplier changes. Adjustments shall be granted one time per a 365 day time period, from the previous adjustment, per customer account.

(D) No adjustments will be made for filling of swimming pools.
(Ord. passed 9-30-91; Am. Ord. 2014-98, passed 12-8-14)

§ 50.50 RESERVED.

§ 50.51 RESERVED.

§ 50.52 METERS.

(A) All meters shall be installed, renewed, and maintained at the expense of the city, and the city reserves the right to determine the size and type of meter used.

(B) *Meter testing.* Upon written request of any customer, the meter serving the customer shall be tested by the city. Such test will be made without charge to the customer if the meter has not been tested within 60 months preceding the requested test; otherwise, a charge will be made and then only if the test indicates meter accuracy within the limits of 2%. If a meter is inaccurate in excess of 2%, adjustments shall be made for the two preceding months prior to test according to the inaccuracy in excess of 2%.

(C) Where a meter has ceased to register, or meter reading cannot be obtained, the quantity of water consumed will be based upon an average of the prior six months' consumption, considering the conditions of water service prevailing during the period in which the meter fails to register.

(D) *Meter re-read.* If a customer requests a re-reading of a meter and the original reading is found to be in error, there will be no charge. If, however, the first reading is found to be correct there will be a charge for the re-reading. If a customer reads his or her own meter, the reported reading will be used to compute the amount of water used. Any error in the reading by the customer will be corrected the next time the meter is read by water company personnel.

(E) *Meter disconnect and/or reconnect.* A charge will incur for each meter disconnect and another charge for each meter reconnect for all customers or agents that make the request for temporary service or non-service for any reason other than the temporary disconnection process due to a break or leak of the customer or city owned water line.

(Ord. passed 9-30-91; Am. Ord. 2014-98, passed 12-8-14)

§ 50.53 INTERRUPTION OF SERVICE.

The city shall make all reasonable efforts to eliminate interruption of service, and, when such interruptions occur, will endeavor to re-establish service with the shortest possible delay. When the service is interrupted, all consumers affected by such interruption will be notified in advance whenever possible.

(Ord. passed 9-30-91)

§ 50.54 LIABILITY DISCLAIMED BY CITY.

The city shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes, or by reason of any other interruption of the supply of water caused by the failure or breakage of machinery or stoppage for necessary repairs. No person shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the city may be deemed necessary.

(Ord. passed 9-30-91)

§ 50.55 BOILERS AND PRESSURE VESSELS.

Customers having boilers and/or pressure vessels receiving a supply of water from the city must have a check valve on the water supply line and a vacuum valve on the steam line to prevent collapse in case the water supply from the city is discontinued or interrupted for any reason, with or without notice.

(Ord. passed 9-30-91)

§ 50.56 INSPECTION OF PREMISES.

The premises receiving a supply of water and all service lines, meters and fixtures, including any fixtures within the premises, shall at all reasonable hours be subject to inspection by the duly authorized employees of the city.

(Ord. passed 9-30-91)

§ 50.57 INSTALLATION AND MAINTENANCE OF EQUIPMENT.

(A) Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the city lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times. The customer shall furnish and maintain a cutoff valve on his side of the meter, and the city will furnish a like valve on its side of the meter.

(B) The customer's service lines shall be installed and maintained by the customer at his own expense in a safe and efficient manner and in accordance with the city's rules and regulations and with the regulations of the Department of Health.

(Ord. passed 9-30-91)

§ 50.58 DAMAGE OR LOSS CAUSED BY CUSTOMER.

(A) If any loss or damage to the property of the city or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent or employee, the cost of the necessary repairs or replacements shall be paid by the customer to the city, and any liability otherwise resulting shall be that of the customer.

(B) No water taps, sewer taps, extensions, relocations, or entering of any kind to the city owned utility systems shall be made by any person, firm, contractor, or corporation except for the Public Works Superintendent and/or agent of the city. The city shall charge for damages to or tampering with city owned water and sewer service (equipment):

(1) *Meters.* Customers shall be held responsible for the tampering with, breaking seals of, interfering with, connecting or disconnecting the city's water meter(s) installed on the customer's

premises, and shall be held liable for same according to law. Furthermore, any person(s) who reconnects or bypasses a meter that has been disconnected for nonpayment of service shall be held liable for same. Therefore, the Bloomfield Water and Sewer Company shall charge a fee for the occurrence and for each additional occurrence. No one except the employee, or agent of the city shall be allowed to connect, disconnect or make any internal or external adjustments to any meter or any other piece of apparatus, which shall be the property of the city.

(2) *Service lines, sewer mains, fire plugs and all other city owned equipment.* Persons, contractors or organizations responsible for tampering with water lines, fire plugs and sewer mains, or other city owned equipment shall be charged a fee for the occurrence and for each additional occurrence in addition to the entire cost of repair, including labor, for the disregard of the city's relocation or extension policies. No one except the employee or agent of the city shall be allowed to make any adjustment or relocation to any utility lines, fire plugs or mains that are owned by the city.
(Ord. passed 9-30-91; Am. Ord. 2015-98, passed 12-8-14)

§ 50.59 SALE OR GIVING AWAY OF WATER BY CUSTOMER PROHIBITED.

Water furnished by the city may be used for domestic consumption by the customer, members of such customer's household, and employees only. The customer shall not sell or give the water to any other person.
(Ord. passed 9-30-91)

§ 50.60 EASEMENTS.

Each customer shall grant or convey, or shall cause to be granted or conveyed, to the city, a perpetual easement and right-of-way across any property owned or controlled by the customer whenever the easement or right-of-way is necessary for the city water and/or sewer facilities and lines so as to enable the city to furnish service to the customer.
(Ord. passed 9-30-91)

§ 50.61 WATER FOR BUILDING OR CONSTRUCTION PURPOSES.

(A) Water for building or construction purposes will be furnished by meter measurement, only after suitable deposit has been made, the minimum deposit being such amount as may be specified from time to time in any applicable rate ordinance; and the amount shall be determined by the city based upon the size of the construction work contemplated. All water for building or construction purposes, as set forth in the permit, must pass through one and the same meter.

(B) Water so supplied shall be discharged through a hose or pipe directly upon the material to be made wet, or into a barrel or other container, and in no case upon the ground or into or through a ditch

or trench; and all use of water by any party other than the applicant, or use of water for any purpose or upon any premises not so stated or described in the application, must be prevented by the applicant, or water service may be discontinued to the applicant without notice.

(Ord. passed 9-30-91)

§ 50.62 SPECIAL USES OF WATER.

(A) Special terms and conditions may be made where water is used by the city or community for public purposes such as fire extinguishment, public parks, and the like.

(B) Fire plug installation shall be requested by application for consideration by the city. It is the responsibility of the requesting party to obtain the necessary easements and permits if the plug location is on properties other than their own. The application shall be accompanied by landowner's signed grants of easements. All costs will be paid by the requester and full amounts payable to the Bloomfield Water Company in advance before installment begins. **NO BREAKING OR ENTERING INTO UTILITY LINES OF THE CITY SHALL BE MADE BY AN PERSON, FIRM, OR CORPORATION EXCEPT THE PUBLIC WORKS SUPERINTENDENT OR AGENT OF THE CITY.**

(Ord. passed 9-30-91; Am. Ord. 2015-98, passed 12-8-14)

§ 50.63 EXTENSION OF WATER AND SEWER LINES.

(A) Application must be made and preapproved before the city will construct extensions to or relocations of its water and sewer lines to points within its service area, however the city is not required to make any such installation unless the requester pays to the city the entire cost of the installation in advance before the project begins. Once city approves the extension or relocation all standard procedures, requirements and specifications of the agencies governing the process shall be followed. **NO BREAKING OR ENTERING INTO UTILITY LINES OF THE CITY SHALL BE MADE BY AN PERSON, FIRM, OR CORPORATION EXCEPT THE PUBLIC WORKS SUPERINTENDENT OR AGENT OF THE CITY.**

(B) All line extensions shall be evidenced by a contract signed by the city and the person advancing funds for the extension, but each contract shall be null and void unless approved by the Farmers Home Administration and other governing bodies.

(C) If refund of the advance is to be made, the following method shall apply: Such refund shall be in an amount equal to 20% of the total gross revenue of water sales per year for each service connected to the new extension prescribed in the agreement, for a period not to exceed five years, provided that the aggregate payments do not exceed the total amount deposited.

(D) No refund shall be made from any revenue received from any lines leading up to or beyond the particular line extension covered by contract.

(E) All decisions in connection with the manner of installation of any extension and maintenance thereof shall remain in the exclusive control of the city. Such extension shall be the property of the city and no other person shall have any right, title, or interest therein.
(Ord. passed 9-30-91; Am. Ord. 2015-98, passed 12-8-14)

§ 50.64 REFUSAL OF SERVICE.

The city may refuse service to any person, not presently a customer, when in the opinion of the city the capacity of the facilities will not permit such service.
(Ord. passed 9-30-91)

§ 50.65 AMENDMENT OF RULES.

These rules may be changed or amended.
(Ord. passed 9-30-91)

§ 50.66 COMPLAINTS.

Complaints in regard to water and sewer systems shall be made in writing to the Public Works Superintendent, whose decision may be appealed to the governing body of the city within ten days; otherwise, the Public Works Superintendent's decision will be final.
(Ord. passed 9-30-91; Am. Ord. 2015-98, passed 12-8-14)

RATES AND CHARGES

§ 50.74 CHARGES FOR CITY SERVICE AND OPERATIONS.

The following rates and charges are subject to regulations, prohibitions, conditions and general provisions set forth in this City of Bloomfield Code of Ordinance, Chapter 50.

[Table begins on next page]

New customer deposit	\$100
Customer written request for meter testing	\$50
Customer written request for meter re-read	\$25
Meter disconnect	\$25
Meter connect	\$25
Leak adjustments	City water purchase (from supplier) rate
Damage to city owned property: Each occurrence	\$100 Plus all costs incurred to repair.
Monthly water rates	§ 50.75
Monthly sewer rates	§ 50.77
Connection fees	§ 50.78
Wastewater system development charges	§ 50.82

(Ord. 2015-98, passed 12-8-14)

§ 50.75 MONTHLY WATER RATES.

The rates and charges for water service furnished by the city are hereby fixed and established on a monthly basis as follows:

(A) *Minimum water rate inside the city boundaries.* The minimum water bill for customers located within the city's boundaries shall be as set in division (B) of this section, and each such water customer shall be entitled to 2,000 gallons (or less) of water in each month for such minimum charge.

(B) *Meter rates for water usage in addition to minimum charge for customers inside the city boundaries.* Subject to the minimum monthly water rate specified above, the following metered charges shall be made for each 1,000 gallons or less of water consumption per month to customers of all size water connections located inside the city's boundaries.

<i>Number of Gallons of Water per Month</i>	<i>Water Cost per 1,000 Gallons above Minimum Charge</i>				
Year	2013	2014	2015	2016	
First 2,000 gallons	10.64	11.91	12.51	13.13	Minimum
Next 3,000 gallons	4.54	5.15	5.41	5.68	per 1,000 gallons
Next 5,000 gallons	3.80	4.35	4.57	4.80	per 1,000 gallons
Next 5,000 gallons	3.53	4.07	4.27	4.49	per 1,000 gallons
Next 5,000 gallons	3.39	3.92	4.12	4.32	per 1,000 gallons
Next 30,000 gallons	3.32	3.85	4.04	4.24	per 1,000 gallons
Next 50,000 gallons	3.25	3.78	3.97	4.17	per 1,000 gallons

(C) *Minimum water rate outside the city boundaries.* The minimum water bill for customers located outside the city's boundaries shall be as set in division (D) of this section, and each such water customer shall be entitled to 2,000 gallons (or less) of water in each month for such minimum charge.

(D) *Meter rates for water usage in addition to minimum charge for customers outside the city boundaries.* Subject to the minimum monthly water rate specified above, the following metered charges shall be made for each 1,000 gallons (or less) of water consumption per month to customers of all size water connections located outside the city's boundaries.

<i>Number of Gallons of Water per Month</i>	<i>Water Charge per 1,000 Gallons above Minimum Charge</i>				
Year	2013	2014	2015	2016	
First 2,000 gallons	19.93	21.66	22.74	23.88	Minimum
Next 3,000 gallons	6.84	7.54	7.92	8.31	per 1,000 gallons
Next 5,000 gallons	6.10	6.77	7.11	7.46	per 1,000 gallons
Next 5,000 gallons	5.53	6.17	6.48	6.80	per 1,000 gallons
Next 5,000 gallons	5.29	5.92	6.22	6.53	per 1,000 gallons
Next 30,000 gallons	5.04	5.66	5.94	6.24	per 1,000 gallons
Next 50,000 gallons	4.63	5.23	5.49	5.77	per 1,000 gallons

(Ord. 98-7-22, passed 7-13-98; Am. Ord. 2000-6, passed 4-10-00; Am. Ord. 2003-29, passed 9-8-03; Am. Ord. 2011-77, passed 12-12-11; Am. Ord. 2012-80, passed 4-9-12; Am. Ord. 2013-92, passed 11-11-13)

§ 50.76 BULK RATE AT CITY LOAD STATION.

The metered charge for water delivered at the city load station(s) shall be \$3.00 for each 1,000 gallons (or less) of water delivered.

(Ord. 98-7-22, passed 7-13-98)

§ 50.77 MONTHLY SEWER RATES.

Sewer gallon usage is determined by the water gallon usage. The rates and charges for sewer are furnished by the city and are hereby revised as follows:

(A) *Minimum sewer rate inside the city boundaries.* The minimum sewer bill for customers located within the city's boundaries shall be as set in division (B) of this section, and each such sewer customer shall be entitled to 2,000 gallons (or less) of water in each month for such minimum charge.

(B) *Meter rates for sewer usage in addition to minimum charge for customers inside the city boundaries.* Subject to the minimum monthly water rate specified above, the following metered charges shall be made for each 1,000 gallons (or less) of water consumption per month to customers of all size water connections located inside the city's boundaries.

Number of Gallons of Water per Month	Cost per 1,000 Gallons above Minimum Charge				
	2013	2014	2015	2016	
Year	2013	2014	2015	2016	
First 2,000 gallons	14.61	15.34	16.11	16.91	Minimum
Next 3,000 gallons	6.29	6.60	6.93	7.28	per 1,000 gallons
Next 5,000 gallons	5.21	5.47	5.74	6.03	per 1,000 gallons
Next 5,000 gallons	4.83	5.07	5.33	5.59	per 1,000 gallons
Next 5,000 gallons	4.65	4.88	5.13	5.38	per 1,000 gallons
Next 30,000 gallons	4.55	4.78	5.02	5.27	per 1,000 gallons
Next 50,000 gallons	4.46	4.68	4.92	5.16	per 1,000 gallons

(C) *Minimum sewer rate outside the city boundaries.* The minimum sewer bill for customers located outside the city's boundaries shall be as set in division (D) of this section, and each such sewer customer shall be entitled to 2,000 gallons (or less) of water in each month for such minimum charge.

(D) *Meter rates for sewer usage in addition to minimum charge for customers outside the city boundaries.* Subject to the minimum monthly water rate specified above, the following metered charges shall be made for each 1,000 gallons (or less) of water consumption per month.

Number of Gallons of Water per Month	Cost per 1,000 Gallons above Minimum Charge				
	2013	2014	2015	2016	
Year	2013	2014	2015	2016	
First 2,000 gallons	15.30	16.07	16.87	17.71	Minimum
Next 3,000 gallons	6.58	6.91	7.25	7.62	per 1,000 gallons
Next 5,000 gallons	5.47	5.74	6.03	6.33	per 1,000 gallons
Next 5,000 gallons	5.09	5.34	5.61	5.89	per 1,000 gallons
Next 5,000 gallons	4.94	5.23	5.49	5.76	per 1,000 gallons
Next 30,000 gallons	4.85	5.09	5.35	5.61	per 1,000 gallons
Next 50,000 gallons	4.75	4.99	5.24	5.50	per 1,000 gallons

(Ord. 98-7-22, passed 7-13-98; Am. Ord. 2000-6, passed 4-10-00; Am. Ord. 2013-92, passed 11-11-13)

§ 50.78 CONNECTION FEES

The following fees must be made in full at City Hall before connection is made to the water or sewer systems:

(A) Water tap rates.

Size	Cost
5/8" Meter	\$1,000
3/4" Meter	\$1,300
1" Meter	\$1,800
1-1/2" Meter	\$2,300
2" Meter	\$3,000

(B) Sewer tap rates.

Size	Cost
First 60 feet	\$1,500 - Cost will be on a time and material basic as determined by the Public Works Superintendent for distances greater than 60 feet.

Apartments	
First apartment	\$1500
Each additional apartment	\$375

(Ord. 2000-9, passed 7-10-00) Penalty, see § 50.99

Cross-reference:

Wastewater system development charges for new development connections, see § 50.82

§ 50.79 NEW DEVELOPMENT CONNECTIONS.

The title of this section shall be “System Development Charges for the Extension of Wastewater System Service to New Development Connections.”

(Ord. 2003-26, passed 4-21-03)

§ 50.80 PURPOSE OF NEW DEVELOPMENT CONNECTIONS; NEW CLASSIFICATION OF WASTEWATER SYSTEM USERS.

There shall be and is hereby created a special classification of users of the city’s wastewater system, which shall be defined as any person or entity applying for or requesting wastewater service, or an upgrade and/or increase of wastewater service, of a type or to a service location that did not exist or which did not have a building permit for new construction issued in furtherance of a binding contract of sale (as established to the reasonable satisfaction of the Mayor and/or the Superintendent of Public Works), as of January 13, 2003 (hereinafter referred to as a “new development connection”).

(Ord. 2003-26, passed 4-21-03)

§ 50.81 STATUTORY COMPLIANCE; JUSTIFICATION OF NEW DEVELOPMENT CONNECTIONS.

(A) *Reasons for classification.* The reasons and justifications for the new development connection classification of wastewater system users are identified in the city. Regional wastewater facilities plan prepared by PEH Engineers, dated as of February, 2002, and amended as of January, 2003 (the “201 Facilities Plan”), the terms and provisions of which are incorporated herein by this reference. Those reasons include, without limitation:

- (1) Projected growth within the system service area;
- (2) Forecast needs for additional wastewater treatment plant capacity; and

(3) The fact that increased wastewater treatment plant capacity is or will be attributable to anticipated new growth and development in the service area.

(B) *Geographic boundaries.* The general geographic boundaries for the new development connection classification of wastewater system users includes the entire city planing area, as depicted upon Figure 1.05-1, Page 1-2 of the 201 Facilities Plan, as the same may be amended from time to time, a copy of which is attached as Exhibit “A” to Ord. 2003-25, passed March 10, 2003.

(C) *Basic sewer service charges.* There shall be a distinct rate for out-of-town sewer customers as provided within §§ 50.77 and 50.78, as the same may be further amended from time to time. The wastewater system development charges (as defined herein) established hereby shall be additional charges imposed entirely upon new development connection users, and are as set forth in § 50.82.

(D) *Duration of wastewater system development charges.* The wastewater system development charges imposed upon new development connections shall be of indefinite duration.

(E) *Schedule for construction of improvements; engineer findings and recommendations.* Wastewater treatment plant expansion is not contemplated immediately. Instead, the wastewater system development charges imposed hereby are intended to provide a partial source for funding future improvements necessitated by population growth and development forecast by the 201 Facilities Plan, reference to which is hereby made for greater particularity. In summary, the 201 Facilities Plan finds and/or recommends that:

(1) The existing wastewater treatment plant operates effectively and provides reliable treatment for the city;

(2) Proposed and reasonably foreseeable population growth and new development in the service area will ultimately require expansion of the existing wastewater treatment plant facility;

(3) Future wastewater treatment demands would be best served by an expansion of the current treatment plant with an “oxidation ditch activated sludge treatment facility;”

(4) Based upon the anticipated growth model utilized by PEH Engineers, and as described in the 201 Facilities Plan, the proposed wastewater treatment plant expansion would need to be constructed sometime prior to calendar year 2006;

(5) The proposed wastewater treatment plant expansion presently has a projected capital cost of \$1,779,000 (in January 2002 dollars); and

(6) The proposed collection and conveyance facilities expansion presently has a projected capital cost of \$807,000 (in January 2002 dollars). Based upon the findings summarized above and set forth in the 201 Facilities Plan, PEH Engineers has recommended the imposition of the wastewater system development charges imposed by this subchapter to partially offset the anticipated costs of wastewater treatment plant expansions and upgrades.

(F) *Anticipated revenues.* The aggregate of revenues to be produced by the wastewater system development charges is estimated to be the sum of \$1,803,000. The amount of annual revenue estimated to be produced from new development connection users is expected to average \$72,120. (Ord. 2003-26, passed 4-21-03; Am. Ord. 2012-80, passed 4-9-12)

§ 50.82 WASTEWATER SYSTEM DEVELOPMENT CHARGES FOR NEW DEVELOPMENT CONNECTIONS.

(A) Prior to the issuance of a permit for connection to the city’s wastewater system, each applicant requesting new wastewater service, or an upgrade and/or increase of existing wastewater services, of

a type or to a service location that did not exist, or which did not have a building permit for new construction issued in furtherance of a binding contract of sale (as established to the reasonable satisfaction of the Mayor and/or the Superintendent of Public Works), as of January 13, 2003, (hereinafter referred to as a “new development connection”), shall pay a system development charge (referred to herein as a “wastewater system development charge”) pursuant to this subchapter in the amounts identified as follows:

Type of Service	Wastewater System Development Charge
Single family residential	\$2,000
Multi-family residential, commercial, industrial or other large users	Wastewater system development charges shall be assessed on the basis of water meter size to the facility in accordance with the schedule set forth in the following table:

METER SIZE	EQUIVALENCY ¹	WASTEWATER SYSTEM DEVELOPMENT CHARGE
5/8 or 3/4-inch	1	\$2,000
1-inch	2	\$ 4,000
1.5-inch	4	\$ 8,000
2-inch	8	\$16,000
3-inch	18	\$36,000
¹ Per American Water Works Association guidelines		

(B) The wastewater system development charges imposed by this section shall be in addition to, and not in lieu of, all other service rates, connection fees and other charges imposed by the city including, without limitation, the sewer service rates and other connection fees provided by §§ 50.77 and 50.78.

(C) All funds collected as wastewater system development charges shall be deposited into a separate interest bearing account, shall be accounted for separately from all other funds of the city, and shall, unless otherwise directed by the City Council, be utilized for future expansions, upgrades, replacements, and/or improvements to the city wastewater system. Any interest or other income earned on wastewater system development funds so deposited shall be credited to such account.

(Ord. 2003-26, passed 4-21-03)

Cross-reference:

Connection fees, see § 50.78

BACKFLOW AND CROSS CONNECTIONS

§ 50.90 TITLE.

This subchapter shall be known and may be cited as the “Cross Connection Ordinance.”
(Ord. 2002-20, passed 7-8-02)

§ 50.91 PURPOSE AND AUTHORITY.

(A) It is the purpose of this subchapter to establish a program to assure that the public water supply is protected from contamination, due to backflow or cross connections. The city recognizes that contamination of the public water supply presents an imminent health hazard to the residential and non-residential users of the public water system; the threat of significant economic loss due to disrupted water service to such residential and non-residential water users and the potential liability to the city.

(B) It is the further purpose of this subchapter to meet the requirements of 401 KAR 8:020 as enacted by the Kentucky Natural Resources and Environmental Protection Cabinet.

(C) This subchapter is enacted under the power vested in the city by KRS 82.082 and pursuant to requirements of KRS 65.03.
(Ord. 2002-20, passed 7-8-02)

§ 50.92 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AIR GAP. The measured vertical distance from the lowest end of the potable water outlet to the flood rim or line of the fixture or receptacle into which it discharges. The minimum required air gap shall be twice the effective opening of the potable water outlet.

APPROVED BACKFLOW ASSEMBLY. Any device that may be approved by the Cabinet in lieu of proper air gap separation.

AUXILIARY WATER SUPPLY. Any water supply on or available to the premises other than the city’s public water supply. These auxiliary waters may include water from any natural source such as a well, spring, river, stream or body of water or any water or other substance of unknown or questionable quality that may present a health or system hazard to the potable public water supply.

BACKFLOW. The reversal of the normal flow of water caused by either back pressure or back siphonage.

BACK PRESSURE. The flow of water or other liquids, mixtures, or substances under pressure into the distribution pipes of a potable water supply system from any source other than the original water source.

BACK SIPHONAGE. The flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water supply system from any source other than the original water source caused by the reduction of pressure in the potable water supply system.

BACKFLOW PREVENTION ASSEMBLY. An assembly or means designed to prevent backflow. A listing of acceptable backflow prevention assemblies and degree of hazard is available in the Kentucky State Plumbing Law, Regulations and Code.

CONTAMINATION. An impairment of the quality of the potable water supply by any waste product, fluid, substance, compound or other material to a degree which creates an actual or potential hazard to the public health through poisoning or through the spread of disease.

CROSS CONNECTION. Any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems one of which contains potable water and the other nonpotable water or substance of questionable quality, through which, or because of which, backflow may occur into the potable water system.

CROSS CONNECTION; CONTROLLED. A connection between a potable water system and a nonpotable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

THERMAL EXPANSION TANK. A device installed on the cold water supply line near a water heater to compensate for the expansion of water within a water system when such water is heated.
(Ord. 2002-20, passed 7-8-02)

§ 50.93 REQUIREMENTS.

The city shall provide protection to the public water system against backflow by implementing the following requirements.

(A) *Residential.* Buildings used for habitation or occupancy shall be considered as residential buildings. No water service connection to any premises shall be installed or allowed to be installed by the city unless such service connection is protected by a backflow prevention assembly. Residential service connections shall be considered as low hazard applications and all such connections shall have at a minimum a dual check valve backflow preventer installed between the water meter and the residence. The city may require additional or alternate backflow prevention assemblies if the degree of hazard constitutes a higher level of protection for the public water system.

(B) *Non-residential.* No water service connection to any non-residential facility shall be installed or allowed to be installed by the city unless such water service connection is protected by a backflow prevention assembly. The type of protective device required shall be determined at the time of installation of the service connection and shall be commensurate with the degree of hazard at the point of such service connection. At a minimum the service connection shall be installed with a dual check valve backflow preventer. In the event activities to occur within a non-residential facility change and creates a higher degree of hazard, then the backflow prevention assembly shall be replaced with an assembly which provides acceptable protection.

(C) *Inspections.* The customer's water system shall be open for inspection at all reasonable times to authorized representatives of the city to determine whether cross connections or other structural or sanitary hazards, including violation of this subchapter, exist. When such a condition becomes known, the city shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition in conformance with the state and city statutes relating to plumbing, water supplies and the regulations adopted pursuant thereto. Water service to any premises shall be discontinued if it is found that a backflow prevention assembly required by this subchapter has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

(D) *Existing service connections.* All existing water service connections which do not have backflow prevention assemblies or existing water service connections which have less than the minimum required backflow prevention assemblies, shall, except for the inspection requirement, be excluded from the requirements of this subchapter so long as the city is assured that the public water system is satisfactorily protected. Whenever the existing service connection is moved or requires more than minimum maintenance or when the city determines that a hazard to health exists, then a backflow prevention assembly meeting the requirements of this subchapter shall be installed on such existing service connection. Periodically, the city shall install or require to be installed backflow prevention assemblies on existing unprotected water service connections until such time that all water service connections within the public water system are equipped with backflow prevention assemblies. Backflow prevention assemblies shall not be installed on existing service connections until after the property owner of such residential or commercial property has been informed of the actual and potential hazards that may be created as a result of such backflow assembly installation. Notices provided to such property owners shall include the following language as adopted in 815 KAR 20:120 Section 2, item (6):

(1) When cross connection control devices are properly installed, they create a closed water system.

(2) A properly sized thermal expansion tank shall be installed in the cold water supply located as near the water heater as possible.

(Ord. 2002-20, passed 7-8-02)

§ 50.99 PENALTY.

(A) Any person who violates any provision of §§ 50.01 through 50.77 shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$500.

(B) Any person, firm, or corporation violating the provisions of § 50.78 shall, upon conviction, be disconnected from the city water and sewer systems, and will not be reconnected until payment of twice the regular connection fees. Each day the person, firm, or corporation continues the violation shall constitute a separate offense.

(Ord. 2000-9, passed 7-10-00)

CHAPTER 51: SOLID WASTE COLLECTION

Section

- 51.01 Definitions
- 51.02 Regulations mandating regular collection by independent contractor selected by the city; private responsibility
- 51.03 Hazardous wastes excluded; compliance with applicable law
- 51.04 Enforcement by city
- 51.05 Inspection

- 51.99 Penalty

§ 51.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

HAZARDOUS WASTE. Any waste or combination of wastes which is determined by the Kentucky Department of Environmental Protection, or other appropriate governmental authority of competent jurisdiction, because of its quantity, concentration, or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or pose a substantial present or potential threat to human health or the environment when improperly treated, stored, transported or disposed of, or otherwise managed.

PREMISES. All land, buildings, or other structures, vehicles, watercraft, or parts thereof, upon or in which solid waste is generated or stored.

SOLID WASTE. Any garbage, refuse, sludge and discarded material, including solid, liquid, semi-solid or contained gaseous material, resulting from residential, commercial, industrial or agricultural operations, and from community activities, but not including human or animal body waste, domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges.
(Ord. 97-1, passed 2-10-97)

§ 51.02 REGULATIONS MANDATING REGULAR COLLECTION BY INDEPENDENT CONTRACTOR SELECTED BY THE CITY; PRIVATE RESPONSIBILITY.

Every residence, commercial enterprise, or other solid waste producing entity with premises located within the city limits of the City of Bloomfield (the "city"), shall subscribe to, and be

responsible for payment for all charges related to, the waste collection and disposal services provided by any independent contractor selected by the city for such purpose. The owner or his agent, or the occupant, of each of such premises within the city shall be responsible for the sanitary condition of the premises occupied by such entity, and it shall be unlawful for any person to place, deposit or allow to be placed or deposited on such premises any solid waste, refuse, or hazardous waste, except as designated by the terms of this chapter.

(Ord. 97-1, passed 2-10-97)

§ 51.03 HAZARDOUS WASTES EXCLUDED; COMPLIANCE WITH APPLICABLE LAW.

The handling and/or disposal of hazardous wastes shall not be affected by the provisions set forth in § 51.02, the handling, storage, treatment, transportation, management and disposal of which shall require that the entity producing such hazardous wastes perform such functions only in strict conformity with applicable federal, state and local laws, rules and regulations.

(Ord. 97-1, passed 2-10-97)

§ 51.04 ENFORCEMENT BY CITY.

The Public Works Director, or the Mayor, or their respective designee(s), in order to protect the health, safety and welfare of the inhabitants of, and property within, the city, are authorized and directed, by implementing and enforcing the provisions of this chapter, to control the storage, collection, and disposal of solid waste within the city, to provide a public solid waste collection and disposal service for premises within the city, so that the type and usual quantity of solid waste can be safely and expeditiously handled by such solid waste collection and disposal service.

(Ord. 97-1, passed 2-10-97)

§ 51.05 INSPECTION.

The Public Works Director, or the Mayor, or their respective designee(s), after properly identifying such person and his/her position with the city, shall have the power to enter at reasonable times on any private or public property or premises for the purpose of inspecting and investigating conditions relating to the enforcement of the provisions of this chapter.

(Ord. 97-1, passed 2-10-97)

§ 51.99 PENALTY.

Any person, firm, corporation, or other entity who shall violate any provision of this chapter, or any rules or regulations promulgated pursuant to this chapter, upon conviction, shall be punished by a fine of not less than \$25 nor more than \$500. Each day a violation of the provisions of this chapter is permitted to exist shall constitute and be deemed a separate offense. Violators of this chapter may be issued a citation by the city police, or by any city employee duly authorized by the Mayor.

(Ord. 97-1, passed 2-10-97)