

APPENDICES

- 1 VIDEO SYSTEM FRANCHISE**
- 2 GEARY UTILITIES AUTHORITY**

APPENDIX 1

VIDEO SYSTEM FRANCHISE

Ordinance No. 2004-2, adopted 3-4-2004, grants a franchise to Pioneer Long Distance, Inc" for the construction and operation of a video system, requiring a franchise fee of three percent (3%) of gross revenues, to construct and operate a video system along the public streets, paths, alleys, sidewalks and all other public ways within the City of Geary; providing for renewal or termination after ten (10) years. A copy of this ordinance is on file in the office of the City Clerk.

APPENDIX 2

GEARY UTILITIES AUTHORITY

GEARY UTILITIES AUTHORITY

**RULES AND REGULATIONS
GOVERNING
UTILITIES PROVIDED BY THE AUTHORITY AND
CITY OF GEARY**

April 1986

Adopted by Motion or Resolution of the Authority and City

One copy shall be kept in the office of the City Clerk

UTILITIES

CHAPTER 1

UTILITY SERVICES IN GENERAL

- § 1-101 Utility fees and billings in general.**
- § 1-102 Failure to pay utility bills; penalty and disconnection of service.**
- § 1-103 Utility taps and connections; fees; utility deposits.**
- § 1-104 Other utility fees or charges.**
- § 1-105 Personnel may inspect private premises.**
- § 1-106 Nonliability of city.**

CHAPTER 2

WATER DEPARTMENT AND SERVICES

- § 2-101 Water system as public utility.**
- § 2-102 Water rates.**
- § 2-103 Application for water service.**
- § 2-104 One premise to a tap, subsidiary connection and cross connection prohibited.**
- § 2-105 Turning on water, permit.**
- § 2-106 Water may be cut off.**
- § 2-107 Water to be turned back on only by authority.**
- § 2-108 Customers to keep service pipes in good repair.**
- § 2-109 Discontinuance of service, notice.**
- § 2-110 Vacant property, notice to secure remit.**
- § 2-111 Accounts against the number of property and premises described, exception.**
- § 2-112 Water for building and construction purposes to be charged against property.**
- § 2-113 Right reserved to shut off water.**
- § 2-114 Waste of water prohibited.**
- § 2-115 Meters.**
- § 2-116 Testing meters.**
- § 2-117 Reservoirs protected.**
- § 2-118 Water shortages, declaration of emergency.**
- § 2-119 Restriction on water use in emergency.**
- § 2-120 Proclamation and notice of emergency.**
- § 2-121 Grievances with water restrictions.**
- § 2-122 Penalties.**

CHAPTER 3

SEWER SYSTEM AND SERVICES

ARTICLE A

GENERAL PROVISIONS

- § 3-101 Declaration of public utility.
- § 3-102 Tapping, connection charges.

ARTICLE B

SEWER USE REGULATIONS AND CHARGES

- § 3-110 Definitions.
- § 3-111 Unsewered and miscellaneous discharges.
- § 3-112 General discharge prohibitions.
- § 3-113 Wastewater contribution permits.
- § 3-114 Permit application.
- § 3-115 Permit modifications.
- § 3-116 Permit conditions.
- § 3-117 Permits duration.
- § 3-118 Permit transfer.
- § 3-119 Confidential information.
- § 3-120 User classes.
- § 3-121 Sewer use charges.
- § 3-122 Infiltration allowances.
- § 3-123 Penalties.

CHAPTER 4

ELECTRIC SYSTEM

- § 4-101 Applications and permits.
- § 4-102 Connections.
- § 4-103 Connection with lines.
- § 4-104 Accounts against number of property and premises.
- § 4-105 Unlawful to furnish additional families or premises.
- § 4-106 Unlawful to use current through defective fixtures.
- § 4-107 Meters.
- § 4-108 Meter ownership; requirements.
- § 4-109 Testing meters.
- § 4-110 Rates.
- § 4-111 Free access.
- § 4-112 Discontinuance of service, notice.
- § 4-113 Request to be made.
- § 4-114 Rates charged against premises.
- § 4-115 Right to shut off current.
- § 4-116 Penalty.

CHAPTER 5

GAS SYSTEM

- § 5-101 Applications and permits.
- § 5-102 Connections.
- § 5-103 Connection with lines.
- § 5-104 Accounts against number of property and premises.
- § 5-105 Unlawful to furnish additional families or premises.
- § 5-106 Unlawful to use gas through defective fixtures.
- § 5-107 Meters.
- § 5-108 Meter ownership; requirements.
- § 5-109 Testing meters.
- § 5-110 Rates.
- § 5-111 Free access.
- § 5-112 Discontinuance of service, notice.
- § 5-113 Request to be made.
- § 5-114 Rates charged against premises.
- § 5-115 Right to shut off gas.
- § 5-116 Penalty.

CHAPTER 1

UTILITY SERVICES IN GENERAL

- § 1-101 Utility fees and billings in general.
- § 1-102 Failure to pay utility bills; penalty and disconnection of service.
- § 1-103 Utility taps and connections; fees; utility deposits.
- § 1-104 Other utility fees or charges.
- § 1-105 Personnel may inspect private premises.
- § 1-106 Nonliability of city.

§ 1-101 UTILITY FEES AND BILLINGS IN GENERAL.

All fees and charges in connection with any customer's use of the sanitary sewer system, the water facility system, or the electrical or gas service systems are billed in accordance with applicable rates set by motion or resolution of the utilities authority. All fees and charges owing for any of these utility services shall be billed on one monthly bill submitted to the customer each month. The utility bills submitted under the terms of this section are payable on or before the past due date which is printed on the bill.

§ 1-102 FAILURE TO PAY UTILITY BILLS; PENALTY AND DISCONNECTION OF SERVICE.

A. Upon failure of any customer to pay any part of a utility bill for any utility services pursuant to Section 1-101 of these regulations by the past due date which is printed on the bill, the following actions and penalties may result:

1. A penalty of all amounts owing on a utility bill may be added to any utility bill which is not paid by the past due date printed on the bill;
2. The authorized agents of the authority may disconnect or discontinue any or all utility services to the customer after mailing or posting written notice to the customer of the intent to disconnect or discontinue any or all of the utility services; or
3. The authorized agents of the authority, upon proper direction, may discontinue to furnish water, gas or electricity to any customer refusing or neglecting to pay all or any part of a utility bill submitted after providing written notice to the customer of the intent of the authority to disconnect the water, gas or electrical service.

B. If any utility service is discontinued or disconnected pursuant to this section, the authority, or its agents, shall not reconnect or reestablish the service until the full amount of any outstanding utility service bill is paid, plus the penalty provided in this section, plus any applicable charges or expenses in reconnecting or reestablishing the service.

§ 1-103 UTILITY TAPS AND CONNECTIONS; FEES; UTILITY DEPOSITS.

A. The authority shall approve any request for a water tap and connection, a sewer tap on an existing line or a sewer tap on a new line and any electrical service or gas connection. Prior to granting this approval, the customer shall have paid the deposit and connection or tap charge as applicable and set by motion or resolution. The deposit shall serve as a guarantee for the payment of charges for utility service and other amounts owed in connection with the utility service. It shall be held in trust by the authority. When a customer's utility service is disconnected, the deposit or any part of such amount deposited which remains after all such charges and amounts due the authority have been satisfied, shall be returned to the customer.

B. A fee for reconnection of utility service where the service has been turned off or a meter has been disconnected by the authority for any reason shall be set by the authority. For any reconnection of utility service the charge shall be set by the authority.

C. Any person making an application for utility service shall make a deposit with his application or meter according to the schedule adopted.

§ 1-104 OTHER UTILITY FEES OR CHARGES.

The authority and city council from time to time by motion or resolution have the power to establish rates and charges governing all aspects of the utility services, including monthly service fees, connection fees and charges, and deposits.

§ 1-105 PERSONNEL MAY INSPECT PRIVATE PREMISES.

Authority personnel in the service of the utility systems may enter any private premises served by the water, electricity, gas or other utility systems at any reasonable time, and inspect the pipes, lines, fixtures and connections on the premises.

§ 1-106 NONLIABILITY OF CITY.

The city is not liable for failure to provide a specific amount of any utility system product or for interruptions in any utility service.

CHAPTER 2

WATER DEPARTMENT AND SERVICES

- § 2-101 Water system as public utility.
- § 2-102 Water rates.
- § 2-103 Application for water service.
- § 2-104 One premise to a tap, subsidiary connection and cross connection prohibited.
- § 2-105 Turning on water, permit.
- § 2-106 Water may be cut off.
- § 2-107 Water to be turned back on only by authority.
- § 2-108 Customers to keep service pipes in good repair.
- § 2-109 Discontinuance of service, notice.
- § 2-110 Vacant property, notice to secure remit.
- § 2-111 Accounts against the number of property and premises described, exception.
- § 2-112 Water for building and construction purposes to be charged against property.
- § 2-113 Right reserved to shut off water.
- § 2-114 Waste of water prohibited.
- § 2-115 Meters.
- § 2-116 Testing meters.
- § 2-117 Reservoirs protected.
- § 2-118 Water shortages, declaration of emergency.
- § 2-119 Restriction on water use in emergency.
- § 2-120 Proclamation and notice of emergency.
- § 2-121 Grievances with water restrictions.
- § 2-122 Penalties.

§ 2-101 WATER SYSTEM AS PUBLIC UTILITY.

The water system of the authority is hereby declared to be a public utility and a proper source of revenues and expenditures for the upkeep and maintenance of the water system.

§ 2-102 WATER RATES.

The authority shall from time to time by motion or resolution set or amend the fees and charges for water use by customers of the water system. A copy of the current fees or charges shall be kept on file in the authority office.

§ 2-103 APPLICATION FOR WATER SERVICE.

Any person desiring to secure water from the authority water system, shall make an application therefor to the authority on an application form to be provided. The applicant

shall give such reasonable information as the authority may request. He shall state In the application that he will abide by all ordinances, rules, and regulations governing the water system of the authority. Any person making application for water service or posting a deposit with the authority shall be deemed to have applied also for garbage service and shall be considered a customer of the authority until such time as water service to such customer has been discontinued.

§ 2-104 **ONE PREMISE TO A TAP, SUBSIDIARY CONNECTION AND CROSS CONNECTION PROHIBITED.**

Not more than one premise may be connected to anyone tap. No customer shall make or permit to be made any subsidiary connection of another's premise with his water service. A cross connection with another water supply shall not be permitted. The authority may require separate service for separate premises, buildings, or houses.

§ 2-105 **TURNING ON WATER, PERMIT.**

It is unlawful for any person to turn the water on to any premises from the municipal water system except by permission of the authority. Water shall not be turned on until the plumbing has been installed and is in operation as provided by ordinance and until any and all deposits and charges have been paid. No person may connect with the water system until all fees and the application is filed and a permit is issued to the applicant. Any such connection shall meet the requirements by the city's plumbing code and other applicable requirements.

§ 2-106 **WATER MAY BE CUT OFF.**

Water may be cut off and service discontinued for any user of water from the municipal water system for any of the following reasons:

1. Violation of any ordinance provision relating to the water system, or violation of any ordinance provision or any provision of any code adopted by reference relating to water and sanitary plumbing;
2. Any act or omission in regard to the water system or sanitary sewer system, the use of water, or the disposal of liquid wastes, which jeopardizes the public health or safety, creates a public nuisance, or interferes with the rights of others; or
3. Failure to pay a utility bill or other proper charge in connection with the city's utilities by the time the bill becomes delinquent.

§ 2-107 **WATER TO BE TURNED BACK ON ONLY BY AUTHORITY.**

When the water of any customer has been turned off by authority personnel, it shall not again be turned on except by permission of the authority.

§ 2-108 CUSTOMERS TO KEEP SERVICE PIPES IN GOOD REPAIR.

All customers using municipal water shall keep their service pipes, stop cocks, and other water apparatus in good repair and in proper operation.

§ 2-109 DISCONTINUANCE OF SERVICE, NOTICE.

A. Whenever the owner or occupant of any premises connected with the water system desires to discontinue the use of water, he shall notify the water department in writing if requested by the authority, and thereupon the authority shall disconnect the premises concerning which notice of discontinuance has been given.

B. It is unlawful for any owner of any premises connected with the water supply system to disconnect the water on the premises unless he shall have first filed a written request that the service of water to the premises be discontinued, and shall pay all arrearages on water rates on the premises.

C. When the water has been shut off from any premises upon application of the owner or occupant of the premises or for non-payment of water charges, or for any other cause, it is unlawful for any person to again connect such premises with water except upon application to and by the authority.

§ 2-110 VACANT PROPERTY, NOTICE TO SECURE REMIT.

Whenever any premises connected with the water supply system shall become vacant, and the owner thereof desires to have the rates remitted for the non-use of water on the premises, he shall file with the authority, not earlier than the first nor later than the tenth day of any month, a written notice, giving the date the premises were vacated. If upon inspection it appears that the premises were vacant during the preceding month and no water was used, the rates for the month will be remitted. No remission of rates will be made for a less period than one calendar month or without the notice prescribed herein. This section applies to premises supplied at a fixed or flat rate only.

§ 2-111 ACCOUNT AGAINST THE NUMBER OF PROPERTY AND PREMISES DESCRIBED, EXCEPTION.

All accounts for water shall be kept against the number of the premises, and the property described for which the service was installed. However, any tenant and any person holding under lease may be supplied with water on their own account when proper application is made, and in such cases the authority shall require such deposit of money with the authority as shall be necessary to protect the authority against any and all delinquent or unpaid charges for water or for other charges on account of such service.

§ 2-112 WATER FOR BUILDING AND CONSTRUCTION PURPOSES TO BE CHARGED AGAINST PROPERTY.

All water for building or construction purposes shall be charged against the

property upon which it is used and the owner thereof, and all delinquent and unpaid charges therefor shall become a lien upon the premises supplied and be collected in the manner as other delinquent and unpaid charges for water.

§ 2-113 **RIGHT RESERVED TO SHUT OFF WATER.**

The authority reserves the right, at all times, without notice, to shut off the water supply for repairs, extensions, non-payment of rates, or any other reason; and the authority shall not be responsible for any stoppages or interruptions of water supply or for any other damage resulting from the shutting off of water.

§ 2-114 **WASTE OF WATER PROHIBITED.**

It is unlawful for any person to waste water or allow it to be wasted, from imperfect or leaking stops, valves, pipes, closets, faucets or other fixtures, or to use water closets without self-closing valves, or to use the water for purpose other than those named in the original application upon which water rates are based, or to use it in violation of any provision of this chapter.

§ 2-115 **METERS.**

- A. The authority shall install a meter on the service of every person using water.

- B. All meters put in by the authority shall be and remain the property of the authority and shall not be removed unless the use of water on the premises be entirely stopped or service connections discontinued or abandoned.

- C. In all cases where meters are lost, injured or broken by carelessness or negligence by the owners or occupants of premises, they shall be repaired or replaced by the authority, and the cost shall be charged against the owner or occupant.

- D. In case of non-payment of charge, the premises shall be shut off from the water supply and the water shall not be turned on until such charge and the charge for turning on the water is paid.

- E. In the event of the meter getting out of order or failing to register properly, the consumer shall be charged on an estimate based on the average monthly consumption during the last three (3) months the same was in good order, or from what may be the most reliable data at the command of the authority.

§ 2-116 **TESTING METERS.**

- A. When the accuracy of the record of the water meter is questioned by the consumer, it shall be removed and tested.

B. If the test discloses an error against the consumer of more than five percent (5%) the authority shall bear the entire expense of the test; on the other hand, where no such error is found, the person who requested the test shall pay the charge fixed for such test.

C. Before making a test of any meter the person requesting such test shall make a deposit to the authority of the amount charged for such test, same to be fixed by the authority, based on the actual work-hour time required to make such test.

D. No meter shall be removed nor in any way disturbed, or the seal broken, except in the presence or under the control and direction of the authority.

§ 2-117 RESERVOIRS PROTECTED.

It is unlawful for any person to bathe in, or to throw any substance into, any reservoir, or place any foreign substance upon any grounds belonging to or connected with or under the control of the authority.

§ 2-118 WATER SHORTAGES, DECLARATION OF EMERGENCY.

A. Whenever an emergency exists by reason of a shortage of water due to inadequate supply, limited treatment or distribution capacity or failure of equipment or material, the mayor is hereby authorized to restrict or prohibit the use of water from the water system.

B. An emergency exists whenever the mayor reasonably determines that the water system is unable or will within sixty (60) days become unable to supply the full commercial and domestic needs of the users thereof, including adequate fire protection.

§ 2-119 RESTRICTION ON WATER USE IN EMERGENCY.

A. Upon the determination that such an emergency exists the mayor shall issue a proclamation declaring the emergency and setting out with particularity an order restricting use of water from the system. The order may:

1. Restrict water usage during certain periods of the day or week or according to any orderly and nondiscriminatory scheme; and

2. Prohibit usages not essential to public health and safety. The order may be revised from time to time as the mayor deems necessary.

B. A duly proclaimed emergency shall continue and the terms of the proclamation shall be in force for thirty (30) days or until such time as the mayor shall cause to be published a proclamation that the emergency has ended, whichever is shorter, unless the authority by resolution approved by a majority of all its members votes to terminate the emergency and proclamation upon a different date.

§ 2-120 PROCLAMATION AND NOTICE OF EMERGENCY.

A. The proclamation required by the preceding section shall be published in a newspaper of general circulation in the city or, if there is no such newspaper in which the proclamation may be published within twenty-four (24) hours after the emergency arises, publication shall be by posting a copy of the proclamation in ten (10) prominent places in the city. The emergency shall be in full force and effect upon publication. Substantial compliance with this section is sufficient to effect the emergency.

B. Whenever a sudden or unexpected event so reduces the availability of water or water pressure as to create an immediate threat to public health or safety the notice of the proclamation may be given by any reasonable means, including electronic means. The emergency shall be in full force and effect upon such notice. However, if any means other than that required in Subsection A of this section is used, the proclamation shall be republished in accordance with Subsection A within twenty-four (24) hours of the first notice.

§ 2-121 GRIEVANCES WITH WATER RESTRICTIONS.

Any person feeling aggrieved by a proclamation of the city manager shall have the right to present the matter to the next regular or special meeting of the authority board of trustees or to any emergency session called to discuss the water emergency. The authority may exempt such aggrieved person, wholly or in part, from compliance with the proclamation order upon a showing that compliance creates an immediate threat to the person's health or safety. The ruling of the authority by a majority vote of all its members shall be final and binding as to the continuance of any terms of the proclamation. Until and unless the action of the mayor is modified or revoked by action of the authority all water users shall be bound by the proclamation.

§ 2-122 PENALTIES.

Any person who in any manner directly or indirectly violates or permits others under his supervision, custody or control to violate any term of a duly published proclamation or any provision of this chapter shall be guilty of a misdemeanor. Any violation of the provisions of the mayor's proclamation or action of the authority shall be punishable by a fine or imprisonment as provided in Section 1-108 of the City's Code of Ordinances.

CHAPTER 3

SEWER SYSTEM AND SERVICES

ARTICLE A

GENERAL PROVISIONS

- § 3-101 Declaration of public utility.**
- § 3-102 Tapping, connection charges.**

§ 3-101 DECLARATION OF PUBLIC UTILITY.

The sanitary sewerage system is hereby declared to be a public utility, and a proper source of revenue for the upkeep and maintenance of the system and for other purposes.

§ 3-102 TAPPING, CONNECTION CHARGES.

A. The charge for the tapping of and tying on to the sanitary sewer system and aU that portion of the city hereinafter brought within the corporate limits of the city by appropriate motion or resolution adopted thereafter shall be set by the authority.

B. The charges made by this section shall be paid prior to the installation of such equipment or service.

Cross Reference: Plumbing code requirements, see Section 5-201 et seq of the city code.

ARTICLE B

SEWER USE REGULATIONS AND CHARGES

- § 3-110 Definitions.**
- § 3-111 Unsewered and miscellaneous discharges.**
- § 3-112 General discharge prohibitions.**
- § 3-113 Wastewater contribution permits.**
- § 3-114 Permit application.**
- § 3-115 Permit modifications.**
- § 3-116 Permit conditions.**
- § 3-117 Permits duration.**
- § 3-118 Permit transfer.**
- § 3-119 Confidential information.**
- § 3-120 User classes.**
- § 3-121 Sewer use charges.**
- § 3-122 Infiltration allowances.**

§ 3-123

Penalties.

§ 3-110 DEFINITIONS.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meaning hereinafter designated:

1. “ Act" or "the act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.;
2. "Approval authority" means the commissioner of the Oklahoma State Department of Health or the Administrator of the Environmental Protection Agency, Region VI;
3. "Authorized representative of industrial user" means:
 - a. A principal executive officer of at least the level of vicepresident, if the industrial user is a corporation;
 - b. A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or
 - c. A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates;
4. "Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure five (5) days at twenty degrees (20⁰) centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l));
5. "Building sewer" means a sewer conveying wastewater from the premises of a user to the POTW;
6. "Categorical standards" means National Categorical Pretreatment Standards or Pretreatment Standard;
7. "City" means the City of Geary, the Geary City Utilities Authority, or the city council or authority board of trustees;
8. "Cooling water" means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat;
9. "Control authority" means the "approval authority", defined hereinabove; or the superintendent if the city has an approved pretreatment program under the provisions of 40 CFR, 403.11;
10. “Direct discharge” means the discharge of treated or untreated wastewater directly to the waters of the state;

11. "Domestic wastewater" means water-borne wastewater normally discharging into the sanitary conveniences of dwellings (Including apartment houses and hotels), office buildings, factories and institutions and commercial establishments;

12. "Environmental Protection Agency, or EPA" means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of the agency;

13. "Grab sample" means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time;

14. "Holding tank waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks;

15. "Indirect discharge" means the discharge or the introduction of nondomestic pollutants from any source regulated under Section 307 (b) or (c) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system);

16. "Industrial user" means a source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402, of the Act. (33 U.S.C. 1342);

17. "Industrial waste" means water-borne solids, liquids or gaseous wastes resulting from and discharged, permitted to flow, or escaping from the industrial, manufacturing or food processing operation or process, or from the development of any natural resource or any mixture of these with water or domestic wastewater, or distinct from normal domestic wastewater;

18. "Interference" means the inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the city's NPDES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA applicable to the method of disposal or use employed by the POTW);

19. "National Categorical Pretreatment Standard or Pretreatment Standard" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Industrial Users;

20. National Prohibitive Discharge Standard or Prohibitive Discharge Standard" means any regulation developed under the authority of 307 (b) of the Act and 40 CFR, Section 403.5;

21. "National Pollution Discharge Elimination System or NPDES Permit" means a

permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342);

22. "Normal domestic wastewater" means normal wastewater for the city in which the average concentration of suspended solids and five-day BOD is established at not more than 250 mg/l;

23. "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context;

24. "pH" means the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution;

25. "Pollution" means the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water;

26. "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water;

27. "Pretreatment" or "treatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process Changes other means, except as prohibited by 40 CFR Section 403.6 (d);

28. "Pretreatment requirements" means any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user;

29. "Publicly Owned Treatment Works (POTW)" means a treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) which is owned in this instance by the city. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this chapter, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the (city) who are, by contract or agreement with the (city), users of the (city's) POTW;

30. "POTW treatment plant" means that portion of the POTW designed to provide treatment to wastewater;

31. "Sewer use charges" mean those charges levied on users of the wastewater facilities for the cost of operation and maintenance of such works;

32. "Shall" is mandatory; "may" is permissive;
33. "Significant industrial user" means any industrial user of the city's wastewater disposal system who:
- a. has a discharge flow of twenty-five thousand (25,000) gallons or more per average work day;
 - b. has a flow greater than five percent (5%) of the flow in the city's wastewater treatment system;
 - c. has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act of (State) Statutes and rules; or
 - d. is found by the city (State Control Agency) or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system;
34. "State" means State of Oklahoma;
35. "Standard Industrial Classification (SIC)" means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972;
36. "Storm water" means any flow occurring during or following any form of natural precipitation and resulting therefrom;
37. "Suspended solids" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering;
38. "Superintendent" means the person designated by the city to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this article, or his duly authorized representative;
39. "Toxic pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of CWA 307 (a) or other Acts;
40. "User" means any person who contributes, causes or permits the contribution of wastewater into the city's POTW;
41. "Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together which may be present, whether treated or untreated which is contributed into or permitted to enter the

POTW;

42. "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof; and

43. "Wastewater permit" means as set forth in this article.

§ 3-111 UNSEWERED AND MISCELLANEOUS DISCHARGES.

A. The public sewer system and wastewater facilities will be used wherever such system is available by all persons discharging any wastewater or other polluted liquids which are not otherwise prohibited, unless an exception is granted by the city.

B. No persons shall deposit or discharge any wastewater or other polluted liquids on public or private property in or adjacent to any natural watercourse, or in any storm sewer or in any storm sewer or in any area under the jurisdiction of the city, without the approval of the city.

C. The city in providing approval will verify that such wastes will receive suitable treatment within the provisions of federal, state or local laws, regulations and/or articles, before discharge.

§ 3-112 GENERAL DISCHARGE PROHIBITIONS.

A. No persons shall discharge or cause to be discharged any of the following described waters or wastes to the wastewater facilities:

1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid solid or gas;

2. Any stormwater, surface water, groundwater, roof runoff, subsurface drainage or uncontaminated cooling water to any sanitary sewer. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers or to a natural watercourse approved by the city and as covered under Section 3 of this article;

3. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit or any discharge which causes the temperature of the total wastewater treatment plant influent to increase at a rate of ten (10) degrees Fahrenheit or more per hour or a combined total increase to a plant influent temperature of one hundred four (104) degrees Fahrenheit;

4. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become

viscous at temperatures between thirty-two (32) and one hundred four (104) degrees Fahrenheit (0 to 40 degrees Centigrade);

5. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the city;

6. Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solutions whether neutralized or not;

7. Any waters or wastes containing objectionable or toxic, or poisonous substances, or wastes exerting an excessive chlorine requirement;

8. Any waters or wastes containing obnoxious, toxic, or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the wastewater treatment plant;

9. Any waters or wastes having ph lower than 5.0 or higher than 9.5 having any other corrosive property capable of causing damage or hazard to structure, equipment and personnel at wastewater facilities;

10. Solids or viscous substances in quantities or of such size capable to causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater works, such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders, lime slurry, lime residues, slops, chemical residues, paint residues or bulk solids;

11. Any waters or wastes containing phenols, hydrogen sulfide or other taste and-odor producing substances;

12. Any radioactive wastes or isotopes;

13. Waters or wastes containing substances which are not amenable to treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving stream;

14. The discharge of any pollutant listed below into the city sewer system is prohibited, except in amounts that do not exceed the concentration limits established by a city permit to discharge for a specific industrial user. The prohibited materials are:

Antimony	Chromium (Hexavalent)	Manganese	Silver
Arsenic	Chromium (Trivalent)	Mercury	Strontium

Barium	Cobalt	Molybdenum	
Tellurium			
Beryllium	Copper	Nickel	Tin
Bismuth	Iron	Rhenium	Uranylion
Boron	Lead	Selenium	Zinc;
Cadmium			

15. It is the intention of the city to regulate industrial wastewater which might be discharged by any non-governmental user of the facilities identified in the Standard Industrial Classification, U.S. Office of Management and Budget, as amended and supplemented under the following divisions:

- a. Division A -Agriculture, Forestry and Fishing;
- b. Division B -Mining;
- c. Division 0 -Manufacturing;
- d. Division E -Transportation, Communications, Electric, Gas and Sanitary Services; and
- e. Division I -Services;

16. Users shall provide necessary wastewater treatment as required to comply with this article and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the city shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review, and shall be acceptable to the city before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this article. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the change.

All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or Approval Authority upon request.

B. A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences only.

C. Once promulgated, if Federal Categorical Pretreatment Standards are more stringent than the limitations of this article, they shall supersede those limitations.

§ 3-113 WASTE WATER CONTRIBUTION PERMITS.

All significant users proposing to connect to or to contribute to the POTW shall obtain a Wastewater Permit before connecting to or contributing to the POTW. All existing significant users connected to or contributing to the POTW shall obtain a Wastewater Permit within one hundred eighty (180) days after September 13, 1983.

§ 3-114 **PERMIT APPLICATION.**

A. Users required to obtain a wastewater contribution permit shall complete and file with the city, an application in the form prescribed by the city, and accompanied by a fee as may be established by resolution of the city. Existing users shall apply for a wastewater permit within thirty (30) days after September 13, 1983, and proposed new users shall apply at least ninety (90) days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

1. Name, address, and location, (if different from the address);
2. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
3. Wastewater constituents and characteristics including but not limited to those mentioned in this chapter as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
4. Time and duration of contribution;
5. Average daily and three-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
7. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
8. Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state, or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O & M) or additional pretreatment is required for the user to meet applicable pretreatment standards;
9. If additional pretreatment or O & M will be required to meet the pretreatment standards; the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:

- a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.);
 - b. No increment referred to in Paragraph a. shall exceed nine (9) months; and
 - c. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the superintendent including, as a minimum, whether or not it complied with the increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the superintendent;
- 10. Each product produced by type, amount, process or processes and rate of production;
 - 11. Type and amount of raw materials processed (average and maximum per day);
 - 12. Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
 - 13. Any other information as may be deemed by the city to be necessary to evaluate the permit application.

B. The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater permit subject to terms and conditions provided herein.

§ 3-115 PERMIT MODIFICATIONS.

Within nine (9) months of the promulgation of a National Categorical Pretreatment Standard, the wastewater permit of users subject to such standards shall be revised to require compliance with such standards within the time frame prescribed by such standard. Where a user, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a wastewater permit as required by Section 3-114, the user shall apply for a wastewater permit within one hundred eighty (180) days after the promulgation of the Applicable National Categorical Pretreatment Standard. In addition, the user with an existing wastewater permit shall submit to the superintendent within one hundred eighty (180) days after the promulgation. of an applicable Federal Categorical Pretreatment Standard the information required by Paragraph 7 and 8 of Section 3-114 of this article.

§ 3-116 PERMIT CONDITIONS.

Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city. Permits may contain the following:

1. The unit charge or schedule of user charges and fees for the wastewater to be discharged to the city sewer;
2. Limits on the average and maximum wastewater constituents and characteristics;
3. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
4. Requirements for installation and maintenance of inspection and sampling facilities;
5. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
6. Compliance schedules;
7. Requirements for submission of technical reports or discharge reports;
8. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city, and affording city access thereto;
9. Requirements for notification of the city or any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
10. Requirements for notification of sludge discharges; and
11. Other conditions as deemed appropriate by the city to ensure compliance with this chapter.

§ 3-117 **PERMITS DURATION.**

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of one hundred eighty (180) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements as identified in this article are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

§ 3-118 **PERMIT TRANSFER.**

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without prior notification to the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

§ 3-119 **CONFIDENTIAL INFORMATION.**

A. Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the city that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this chapter, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System permit or the Pretreatment Program; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

B. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this article, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System permit and/or the Pretreatment Programs; provided however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

C. Information accepted by the city as confidential, shall not be transmitted to any governmental agency or to the general public by the city until and unless a ten (10) day notification is given to the user.

§ 3-120 **USER CLASSES.**

The following user classification system is hereby adopted by the city for all users of the wastewater facilities:

1. CLASS A: Residential, Commercial, Institutional, Public; and
2. CLASS B: Industrial.

§ 3-121 **SEWER USE CHARGES.**

A. Sewer use charges are established by the city to insure that each user will pay its proportionate share of the cost of operation, maintenance, and replacement for the wastewater facilities. Billing shall be accomplished by the city on a monthly basis and the amount billed for sewer use shall be shown as a separate item and shall be paid monthly by the user in accordance with established practices. A separate agreement shall be prepared for each applicable industrial user in accordance with these provisions and methods. Sampling shall be accomplished on a periodic basis by the city to determine the strength of discharge of the industrial user. All other billing procedures shall be in accordance with other provisions of this article.

B. All bills for sewer service or rental as above provided shall be due and payable on the same dates and in the manner as water bills and in the event the same become delinquent, both the water and sewer service may be cut off and discontinued without further notice. A penalty shall be charged and added to sewer bills becoming delinquent and the full amount of the sewer bill and the penalty shall be paid before service is restored; provided that for good cause shown the city shall have the authority to omit the amount of the penalty. The amount billed for sewer use shall be shown as a separate item.

C. The sewer use charges established and described herein shall be revised annually to determine their equitability and adequacy to meet the needs for the cost of operation, maintenance and replacement for the wastewater facilities.

D. The city may suspend sewer service to any industrial user when the wastewater discharge of that user presents an imminent or substantial danger to public health and welfare, to the environment, to the treatment capability of the city wastewater facility or to the ability of the city to comply with its NPDES permit.

E. The user shall provide and operate at its own expense an appropriately, located sampling manhole that will facilitate inspection, sampling and flow measurement by city personnel. Access to this sampling manhole shall be adequate to permit all activities necessary to enforce this article.

F. The city may inspect the facilities of an industrial user at any reasonable time to ascertain compliance with the provisions of this article. The user will make necessary and reasonable arrangements to allow access by properly identified city personnel to conduct such inspection.

§ 3-122 **INFILTRATION ALLOWANCES.**

The allowable infiltration for all existing sewers is hereby established at no more than 200 gallons per inch of sewer diameter per mile for sewers 24 inches in diameter and smaller. All new sewers shall be tested for infiltration in accordance with an acceptable testing method.

§ 3-123 **PENALTIES.**

A. It is unlawful for any person to maliciously, willfully or negligently break,

damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

B. Any person found to be violating any provision of this article shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall within the period of time stated in such notice, permanently cease all violations.

C. Any person who shall continue any violation beyond the time limit provided for in this section shall be deemed guilty of a violation thereof and upon conviction thereof shall be punished as provided in Section 1-108 of the city's Code of Ordinances. Each day in which any such violation shall continue shall be deemed a separate offense.

D. Failure to pay monthly bills for water or sanitary sewer services when due or repeated discharge of prohibited waste to the sanitary sewer shall result in disconnection of any and all services to the water and/or sanitary sewer line of the city.

E. In the event that an industrial user fails in voluntarily complying with an order by the city to cease its wastewater discharge, the city may physically sever the user's sewer connection to ensure compliance.

F. Failure to comply with the conditions of its city permit, failure to factually report wastewater characteristics, failure to notify the city of any significant change in operations or refusal to grant access to city personnel for sampling or inspection shall be grounds for permit revocation.

CHAPTER 4
ELECTRIC SYSTEM

- § 4-101 Applications and permits.**
- § 4-102 Connections.**
- § 4-103 Connection with lines.**
- § 4-104 Accounts against number of property and premises.**
- § 4-105 Unlawful to furnish additional families or premises.**
- § 4-106 Unlawful to use current through defective fixtures.**
- § 4-107 Meters.**
- § 4-108 Meter ownership; requirements.**
- § 4-109 Testing meters.**
- § 4-110 Rates.**
- § 4-111 Free access.**
- § 4-112 Discontinuance of service, notice.**
- § 4-113 Request to be made.**
- § 4-114 Rates charged against premises.**
- § 4-115 Right to shut off current.**
- § 4-116 Penalty.**

§ 4-101 APPLICANTS AND PERMITS.

All applications and permits for connection with and use of light and power facilities shall be made in conformity with city requirements and standards for wiring and construction and on forms as required by the city and authority.

§ 4-102 CONNECTIONS.

Upon presentation to the authority of proper application, a permit shall be issued to connect the light and power lines with the property described in the application, and such connections shall be made from the light and power lines to the premises or building described in the application as shall be necessary to furnish light and power to the occupant of the premises described.

§ 4-103 CONNECTION WITH LINES.

It is unlawful for any person to make any connection with any wire or fixtures of any character belonging to the light and power system of the authority without first having obtained permission so to do from the authority.

§ 4-104 ACCOUNTS AGAINST NUMBER OF PROPERTY AND PREMISES.

All accounts for the use of light and power shall be kept against the owner of the premises and property described for which the service is installed. A tenant or person holding under lease may be supplied with electrical current on his own account when proper application

is made.

§ 4-105 **UNLAWFUL TO FURNISH ADDITIONAL FAMILIES OR PREMISES.**

It is unlawful for any person whose premises are supplied with electrical current from the authority lines to install additional fixtures on a premises or to use the current for purposes other than those stated in the application, or to furnish current to additional families or premises, unless he shall first make application and receive permission in the same manner as provided in the original application and permit.

§ 4-106 **UNLAWFUL TO USE CURRENT THROUGH DEFECTIVE FIXTURES.**

It is unlawful for any person to use any current from the electrical system or allow it to be used on any premises where the wiring or fixtures are not in good repair or where the machinery is in bad repair, or does not comply with the standards required by the city ordinances or authority rules.

§ 4-108 **METER OWNERSHIP; REQUIREMENTS.**

All meters put in by the authority shall be and remain the property of the authority and are not to be removed unless the use of current on the premises is entirely stopped and the service connection discontinued or abandoned. In all cases where meters are lost, injured or broken by carelessness or negligence on the part of the owners or occupants of the premises, they shall be replaced by the light and power system and the costs charged against the owners or occupants. In the event of the meter getting out of order or failing to register properly, consumer shall be charged on an estimate based on average monthly consumption during the last three (3) months the same was in good order or from what may be the most reliable data at the command of the authority.

§ 4-109 **TESTING METERS.**

A. When the accuracy of the record of the electrical meter is questioned by the consumer, it shall be removed and tested.

B. If the test discloses an error against the consumer of more than five percent (5%) the authority shall bear the entire expense of the test; on the other hand, where no such error is found, the person who requested the test shall pay the charge fixed for such test.

C. Before making a test of any meter the person requesting such test shall make a deposit to the authority of the amount Charged for such test, same to be fixed by the authority, based on the actual work-hour time required to make such test.

D. No meter shall be removed nor in any way disturbed, or the seal broken, except in the presence or under the control and direction of the authority.

§ 4-110 RATES.

Rates for the use of electrical current, to be charged to consumers thereof, shall be fixed by resolution or motion of the authority.

§ 4-111 FREE ACCESS.

All authorized employees of the light and power system shall, upon presentation of proper credentials, have free access at all reasonable hours to any premises supplied with electrical current from the electrical system, for the purpose of making inspection of the wiring, fixtures or meter thereon.

§ 4-112 DISCONTINUANCE OF SERVICE, NOTICE.

Whenever the owner or occupant of any premises connected with the electrical system desires to discontinue the use of electrical current he shall notify the authority and thereupon the authority shall disconnect the premises concerning which notice of discontinuance has been given.

§ 4-113 REQUEST TO BE MADE.

It is unlawful for any owner or person connected with the light and power system to disconnect from the plant unless he shall have first made a request, in writing if so required by the authority, that the service of electrical current to the premises be discontinued, and shall pay all arrearages due for the use of electrical current on the premises. When current has been cut off from any premises upon application of the owner or occupant of the premises, or for non-payment of charges, or for any other cause, it is unlawful to again connect such premises except upon application to and by the authority.

§ 4-114 RATES CHARGED AGAINST PREMISES.

All electrical current rates will be charged against premises for which the service is installed, and same shall be a lien against premise aforesaid in the event they become delinquent and unpaid. In case any charge or charges for the use of electrical current shall become a lien against any premises, the current shall be shut off until such charges are paid.

§ 4-115 RIGHT TO SHUT OFF CURRENT.

The authority reserves the right, at all times, without notice, to shut off current for light and power in the event it is found necessary on account of repairs, extensions, non-payment of rates or any other reason and the authority shall not be responsible for any stoppages or interruptions in the supply or current or for any other damages resulting from the shutting off.

§ 4-116 PENALTY.

Any person violating any provision of this chapter shall be guilty of a misdemeanor and

on conviction thereof shall be punished as provided in Section 1-108 of the City's Code of Ordinances.

CHAPTER 5

GAS SYSTEM

- § 5-101 Applications and permits.
- § 5-102 Connections.
- § 5-103 Connection with lines.
- § 5-104 Accounts against number of property and premises.
- § 5-105 Unlawful to furnish additional families or premises.
- § 5-106 Unlawful to use gas through defective fixtures.
- § 5-107 Meters.
- § 5-108 Meter ownership; requirements.
- § 5-109 Testing meters.
- § 5-110 Rates.
- § 5-111 Free access.
- § 5-112 Discontinuance of service, notice.
- § 5-113 Request to be made.
- § 5-114 Rates charged against premises.
- § 5-115 Right to shut off gas.
- § 5-116 Penalty.

§ 5-101 APPLICATIONS AND PERMITS.

All applications and permits for connection with and use of gas facilities shall be made in conformity with city requirements and standards for piping and construction and on forms as required by the city and authority.

§ 5-102 CONNECTIONS.

Upon presentation to the authority of proper application, a permit shall be issued to connect the gas lines with the property described in the application, and such connections shall be made from the gas lines to the premises or building described in the application as shall be necessary to furnish gas the occupant of the premises described.

§ 5-103 CONNECTION WITH LINES.

It is unlawful for any person to make any connection with any pipe or fixtures of any character belonging to the gas system of the authority without first having obtained permission so to do from the authority.

§ 5-104 ACCOUNTS AGAINST NUMBER OF PROPERTY AND PREMISES.

All accounts for the use of gas shall be kept against the owner of the premises and

property described for which the service is installed. A tenant or person holding under lease may be supplied with gas on his own account when proper application is made.

§ 5-105 **UNLAWFUL TO FURNISH ADDITIONAL FAMILIES OR PREMISES.**

It is unlawful for any person whose premises are supplied with gas from the authority lines to install additional fixtures on a premises or to use the gas for purposes other than those stated in the application, or to furnish gas to additional families or premises, unless he shall first make application and receive permission in the same manner as provided in the original application and permit.

§ 5-106 **UNLAWFUL TO USE GAS THROUGH DEFECTIVE FIXTURES.**

It is unlawful for any person to use any gas from the gas system or allow it to be used on any premises where the piping or fixtures are not in good repair or where the machinery is in bad repair, or does not comply with the standards required by the city ordinances or authority rules.

§ 5-107 **METERS.**

The utility authority is authorized and directed to install meters on the service of each and every person using gas.

§ 5-108 **METER OWNERSHIP; REQUIREMENTS.**

All meters put in by the authority shall be and remain the property of the authority and are not to be removed unless the use of gas on the premises is entirely stopped and the service connection discontinued or abandoned. In all cases where meters are lost, injured or broken by carelessness or negligence on the part of the owners or occupants of the premises, they shall be replaced by the gas system and the costs charged against the owners or occupants. In the event of the meter getting out of order or failing to register properly, consumer shall be charged on an estimate based on average monthly consumption during the last three (3) months the same was in good order or from what may be the most reliable data at the command of the authority.

§ 5-109 **TESTING METERS.**

A. When the accuracy of the record of the gas meter is questioned by the consumer, it shall be removed and tested.

B. If the test discloses an error against the consumer of more than five percent (5%) the authority shall bear the entire expense of the test; on the other hand, where no such error is found, the person who requested the test shall pay the Charge fixed for such test.

C. Before making a test of any meter the person requesting such test shall make a deposit to the authority of the amount charged for such test, same to be fixed by the authority, based on the actual work-hour time required to make such test.

D. No meter shall be removed nor in any way disturbed, or the seal broken, except in the presence or under the control and direction of the authority.

§ 5-110 **RATES.**

Rates for the use of gas, to be charged to consumers thereof, shall be fixed by resolution or motion of the authority.

§ 5-111 **FREE ACCESS.**

All authorized employees of the gas system shall, upon presentation of proper credentials, have free access at all reasonable hours to any premises supplied with gas from the gas system, for the purpose of making inspection of the wiring, fixtures or meter thereon.