**KNOXVILLE WATER**

**WORKS**

**RULES & REGULATIONS**

**Passed and Approved April 9, 2024**

**SECTION 1: APPOINTMENT OF GENERAL MANAGER.** The Board of Trustees shall appoint a General Manager, who shall hold office at the pleasure of the Board, and shall receive as compensation for his service such salary as shall be determined by the Board.

**SECTION 2: DUTIES.** The Water Works General Manager shall have entire charge and be responsible for the all aspects of the operation of the Water Works, subject to the direction of the Board.

**SECTION 3: SCOPE RULES AND REGULATIONS.** The rules and regulations specified in this resolution are a part of the contract with every person who is supplied with water through the Knoxville Water Works, and every such person by taking water has expressed their assent to be bound thereby, and whenever any of them are violated, or such others as the Water Works may hereinafter adopt, the Water Works is empowered to cut off the supply of water from the property or properties where the violation occurs although two (2) or more persons may receive a supply of water through the same service pipe. Any charge for cutting off the water supply shall be charged to the property owner or consumer as the circumstances shall warrant.

**SECTION 4: PERMISSION REQUIRED FOR CONSTRUCTION, REPAIR, ETC. OF WATER PIPES.** No person shall begin work on the construction, reconstruction, alteration, or repair of any water mains or lines located on city property or a secured easement unless he is a licensed plumber, and before beginning work has obtained permission for the same from the Water Works.

**SECTION 5: WATER CHARGE FOR BUILDING PURPOSES.** Contractors, builders or others desiring water for building purposes shall first make application to the Water Works for this service. The charge for water will be based on the consumption shown by the water meter which shall be installed at such time as he desires to begin using water.

**SECTION 6: SERVICES OUTSIDE THE CITY LIMITS.** To obtain service from the Water Works to property outside the city limits, the owner of said property must request such service from the Water Works. Upon receipt of the request for service, the Water Works will provide a service agreement to the Customer as provided by Iowa Code section 364.4. A hook-up fee and all cost of line extension and meters and the maintenance of the same shall be paid by the applicant. If the service will have to be obtained through a privately owned line, consent to connect to the line must be secured from the owner and filed in the office of the Water Works before approval for service will be given. This section shall apply only to properties within existing rural developments currently served by the Knoxville Water Works. All other properties shall apply to the City of Knoxville for voluntary annexation before their request for service will be considered. If annexation is denied by the City, the Water Works Board of Trustees will review the request for water service on a case by case basis.

**SECTION 7: WATER SUPPLY – EMERGENCY.** The Water Works may limit the use of water in the event of an emergency wherein the supply of water is limited or needed to meet the emergency.

**SECTION 8: WATER SUPPLY – NOT GUARANTEED.** The Water Works does not guarantee a constant supply of water to any consumer and shall not be liable for damages for failure to supply the same.

**SECTION 9: INTERFERENCE WITH METERS PROHIBITED.** Any person who, with intent to damage or defraud, interferes with, tampers with, or changes any meter or pipe or main thereof conveying water shall be prosecuted to the fullest extent of the law.

**SECTION 10: OPENING OR CLOSING VALVES OR HYDRANTS.** No person except an authorized employee of the Water Works in the discharge of his duty is permitted to open or close any Water Works owned valve or hydrant connected to the Water Works system without the specific consent of the Water Works to do so. No person except firemen in case of an emergency shall open any fire hydrant. Any person violating the provisions specified above shall be prosecuted to the fullest extent of the law. Whenever it is necessary to open or close valves or hydrants in the water supply system for the purpose of making plumbing repairs to private services, the plumber doing the work shall make application to the Water Works who shall cause such valves or hydrants to be open or closed as may be necessary by a Water Works employee authorized to perform the work.

**SECTION 11: DISCONTINUANCE OF SERVICE ON CONSUMER’S REQUEST.**

When requested by the occupant of the property, the Water Works will cause the water to be turned off at the curb box, provided the curb box is in working order and is accessible.

The cost of servicing an inaccessible or damaged curb stop or curb box will be at the expense of the property owner. Should it become necessary to cut off the water at the corporation cock in the main, the expense thereof shall be charged to the property owner, also. Water charges and service charges will be made until notice of discontinuance of service is given at the office of the Water Works. When water service is discontinued, all charges to the consumer shall be immediately due and payable.

**SECTION 12: DAMAGE CLAIMS.** It is expressly stipulated that no claim shall be made against the Water Works by reason of the breaking of any service pipe, meter, or other appurtenance, or if from any cause, the supply of water shall fail, or from damage arising from shutting off water to repair the mains, make connections of extensions, or for water turned on at the customer’s request, or from any other purpose that may be deemed necessary. The right is hereby reserved to cut off the supply of water at any time notwithstanding any permit granted to the contrary.

**SECTION 13: ABANDONED WATER SERVICE – RECORDS.** Whenever a water service is permanently abandoned, the property owner shall at his expense cause the water service to be permanently shut off at the corporation stop in the main. The plumber doing the work shall notify the Water Works in writing when the work was completed in order that an entry thereof may be made in the Water Works records.

**SECTION 14: NOTICE OF SHUTTING OFF WATER REQUIRED.** Any plumber shutting off water from a private service, except for short periods of time, shall report the same to the Water Works.

**SECTION 15: LATERALS – METER CONNECTION.** No connection shall be made to any lateral service line so that water can be used before the point of meter installation.

**SECTION 16: WATER METER FURNISHED CUSTOMER WITHIN THE CITY LIMITS – CHARGED FOR UNAUTHORIZED REMOVAL.**  A 5/8” water meter, the property of the Water Works, shall be furnished by the Water Works to every service connection in use. A charge shall be made for all water passing through the meter, whether used or wasted. If a larger meter is required, the property owner will be charged the purchase price of the larger meter, and ownership of the meter will be conveyed to the property owner. Whenever a meter is removed by a person other than an authorized Water Works employee, a minimum charge of two hundred dollars ($200.00) will be made for water used during each thirty (30) days, or less, since the last preceding meter reading.

**SECTION 17: LOCATION, SPECIFICATIONS, USE OF METERS.** All meters shall be so located that they may be easily accessible at all times to the meter readers and meter servicemen, and shall be located not less than two and one-half (2 ½) feet above the floor. Plumbers shall exercise care in locating meters so that there will be enough flexibility in the service pipe to afford easy access to the meter should service be required. There shall be valves installed on both the intake and the discharge side of the meter. Meters shall be placed in a horizontal position. Meters shall not be located in the places where they will be covered at any time. All water meters for use in freezing weather shall be protected at the consumer’s expense from damage by freezing. Meter pits may be used only upon approval of the Water Works and shall be of a design and construction approved by the Water Works.

**SECTION 18: METER REPAIRS – COST.** Whenever a water meter owned by the Water Works is found to be out of order, the Water Works shall have the same repaired, and if is found that damage to the meter has resulted through carelessness and negligence on the part of the consumer, the consumer shall be liable for the expense of the repair of the meter. In the event a plumber is called for any emergency repairs, and it is discovered by him that the meter is out of order to such an extent as to cause property damage by leakage, he will be permitted to remove the meter and deliver the same to the Water Works for repair, but in no case will he be allowed to repair the meter or to remove the same from service except as above specified. In case a meter fails to register, the consumer will be charged the average rate as shown by the previous readings of the meter when in order.

**SECTION 19: METERS- LOCATIONS – REMOTE READING DEVICE.** All water meters shall be located in a place so as to be readily accessible for reading and inspection. All meters installed shall be equipped with remote reading devices. No all remote reading devices shall be placed not less than three (3) or more than five (5) feet from ground level.

**SECTION 20: METERS – REMOTE RADIO READING DEVICE REQUIRED.** In the event the meter reader is unable to gain access to read a meter for two (2) consecutive times, the Water Works shall, after reasonable notice, cause a remote radio reading device to be installed at the expense of the property owner.

**SECTION 21: CHANGING LOCATION OF A METER.** The location of any water meter shall in no case be changed without permission being obtained from the Water Works, and in no case shall water be used without a meter.

**SECTION 22: METERS – TESTING – FEE.** A consumer may have the water meter servicing his property tested by the Water Works upon payment of a testing fee of one hundred ($100.00) dollars or the actual cost of testing whichever is greater.

**SECTION 23: METERS – TESTING- ADJUSTMENT.** In the event a water meter tested registers three percent or more over the proper reading, the Water Works shall refund the consumer the overcharge for the prior three (3) billing periods and the testing fee.

**SECTION 24: SPRINKLER SYSTEMS - REQUIREMENTS.** Sprinkler systems may be permitted to be attached to the water mains by direct connection under the direction and supervision of the Water Works. A detailed drawing of the sprinkler system shall be filed with the Water Works and free access to the building shall be granted the Water Works for inspection purposes. No charge will be made for water used for fire purposes through a sprinkler system.

**SECTION 25: INSTALLATION AND MAINTENANCE AT OWNERS EXPENSE.**

All service connections with the water supply from the main to the meter, including the corporation cock, service pipe, curb stop, curb box, meter couplings, and meter shall be installed and maintained at the expense of the property to be served, except as stated in

SECTION 18 above.

**SECTION 26: REPAIRS BETWEEN MAIN AND METER.** Whenever any part of the service line between the main and the consumer’s meter develops a leak, becomes out of repair, or must be moved, it shall be the duty of the Water Works to notify the property owner, his legal agent, or the consumer of the problem. If the problem is not repaired within forty-eight (48) hours after the notice, the Water Works may perform the necessary repairs at the expense of the property owner or discontinue water service until satisfactory repairs are made.

**SECTION 27: WATER WORKS EMPLOYEES TO TAP MAIN.** No person except authorized employees of the Water Works will be permitted to tap any water main.

**SECTION 28: WATER MAIN CONNECTIONS – SPECIFICATIONS.** A corporation cock of either Mueller or Ford make shall be inserted in every tap one inch or less in diameter made in a water main. All connections to the main shall be adequately supported against breakage from ditch settlement. All joints to service pipes shall be tested in the presence of and approved by the Water Works before being covered.

**SECTION 29: LATERALS – INSPECTION.** Every person, firm or corporation served by the Water Works shall permit any authorized Water Works personnel at all reasonable hours of the day to enter their premises or building to inspect the lateral and/or meter.

**SECTION 30: CURB STOP REQUIRED.** There shall be a curb stop in every service connection to the main, lateral or extension service supply in streets. It shall be located six (6) feet outside of the property line or as close as possible thereto and in alleys within one (1) foot of the alley line except two (2) inch and larger which shall have a street valve box over the valve at the water main. The curb stop and box to be used for services from three-fourth (3/4) inches to two (2) inches shall be the style known as the Ford Ball Valve

Curb Stop make or equal provided with a T head and stainless steel extension rod keyed and locked to the curb stop and shall be the same diameter as the pipe served. The curb stop shall be kept in operative condition at all times. The curb box shall reach from the curb stop to the surface of the pavement or ground and shall have a heavy metal cover.

**SECTION 31: LATERALS – CURB STOP- MULTIPLE SERVICE.** Where one lateral service line is intended to service more than one consumer, each shall be served by separate curb stops.

**SECTION 32: METER VALVE REQUIRED – SPECIFICATIONS.** There shall be a gate or ball valve on both the intake and discharge side of the meter attached to every service pipe inside the building wall. The valve is to be set not less than two and one-half (2 ½) feet above the basement floor.

**SECTION 33: TEST AND INSPECTION REQUIERED.** When the water service pipe has been completed from the main to the stop in the basement and before the work has been covered or in any way concealed from view or any fixture set, the work shall be tested and inspected. Upon completion of the test, the plumber shall turn the water off at the curb stop. New services when completed by the plumber shall in all cases be left off at the curb stop.

**SECTION 34: NEW DEVELOPMENTS – RURAL AND CITY.** The developer shall submit a plat of the proposed development to the Board of Trustees for approval. The plat shall show the size and location of the proposed lines and their relation to existing lines in the immediate area. It shall further show the location of all valves and fire hydrants. A standard six (6) inch fire hydrant shall be placed on every dead end line for the purpose of flushing the line.

**SECTION 35: LOCATION OF LINES.** Lines shall be laid in the street right-of-way, alleyway, or if on private property in an easement to the Water Works no smaller than sixteen (16) feet in width with eight (8) feet on each side of the line.

**SECTION 36: SIZE OF MAINS.** The Water Works shall determine the size of the main lines. Size shall be determined by the present and future need with a six (6) inch minimum.

**SECTION 37: MATERIAL.** Covered as provided in a Resolution providing for the type of water main that may be connected to the dater distribution system of the City of Knoxville, Iowa.

**SECTION 38: VALVES.** All valves shall be Mueller valves or their equal. They must open left and close right.

**SECTION 39: HYDRANTS.** Hydrants of mains of six (6) inch size or larger, shall have an auxiliary valve, shall be no less than six (6) inch Mueller hydrant or its equal with a standard thread, two (2) two and one-half (2 ½) inch nozzles, and one (1) pumper nozzle, it shall open left and close right. They shall be located at a maximum of five hundred (500) feet from each other.

**SECTION 40: COST OF LINE DEVELOPER’S RESPONSIBILITY.** All material and labor for the installation of lines to and in any development shall be the responsibility of the developer.

**SECTION 41: DEPTH OF LINES.** All main lines shall be laid less than five (5) feet below the surface of the ground at all points. All service pipes shall be laid not less than four and one-half (4 ½) feet below the surface of the ground at all points. In placing main lines and services on the streets not to final grade shall be obtained from the City of Knoxville before the work of excavation is begun, and the pipe shall be so laid as to have the respective number of feet of cover at all points below the grade.

**SECTION 42: EXPANSION OF SERVICE PIPES PROVIDED.** All service pipe shall be laid with sufficient waving so as to provide not less than one and one-half (1 ½) feet extra length per one hundred (100) feet of pipe for expansion and to prevent possible damage to the service due to settlement of the pipe.

**SECTION 43: INSPECTION.** All lines shall be inspected during construction by the Water Works and approved by the Water Works before being backfilled.

**SECTION 44: FLUSHING LINES.** All mains and service pipe shall be flushed according to the rules and regulations of the Iowa Department of Natural Resources.

**SECTION 45: MAINTENANCE BOND.** Before acceptance of a water main line, the contractor or owner installing such line shall submit to the Water Works a valid and enforceable maintenance bond obligating the contractor or owner and his bondsman from time of acceptance by the Water Works to keep in good repair such lines for not less than two (2) years.

**SECTION 46: BILLING – PAYMENT.** All charges billed by the Water Works shall be due and payable immediately following the rendering of a bill and shall become delinquent 20 days from that date. Customers typically receive their bills on the 1st day of each month and have until the 20th day of each month to pay each bill. An account with delinquent amounts owing after the 20th day is subject to disconnection. The Water Works typically performs customer disconnections on or about the 21st day of each month for all delinquent amounts owing during the previous billing cycle. Any unpaid balance after the 20th day is subject to a late payment charge equivalent to 5% of the unpaid balance. Any account that is scheduled for disconnection due to delinquency shall be assessed a fee of $30.00 whether or not the service is actually discontinued. Payment of late or delinquent amounts owing must be in the form of cash, certified check or money order, personally delivered to the utility’s offices located at 600 N. Roche St., Knoxville, IA 50138 between the hours of 7:30 AM and 4:00 P.M.

**SECTION 47: DISCONTINUANCE OF SERVICE BY THE WATER WORKS.**

The Water Works reserves the right to disconnect the service and/or remove the meter for the nonpayment of bills, to prevent fraud, or for any cause the Water Works may deem necessary under the circumstances to protect public health and welfare. Whenever feasible, the Water Works will attempt to notify customers in advance that service may be discontinued.

**SECTION 47A: DISCONTINUANCE FOR NONPAYMENT – NOTICE AND RIGHT TO A HEARING.**

Prior to disconnection or discontinuance of service, the Water Works will notify each Customer with a delinquent amount owing that is more than 20 days past due and will afford the account holder the opportunity for a hearing. The Water Works affords customers the opportunity for a hearing between the 20th day and the 25th day of each month. To schedule a hearing time call (641) 828-0557 between the hours of 7:30 AM and 4:00 PM not later than three (3) full business days (Monday through Friday, excluding holidays) after the 18th day of the month. If a Customer makes a timely request for a hearing, the hearing will occur at 600 N. Roche St., Knoxville, IA 50138, at a date and time arranged with the Water Works, but this date MUST be between the 20th and the 25th of the month. The hearing officer will be the General Manager of the Utility, or that person’s designee. If a Customer fails to make a timely request for a hearing, your right to a hearing is waived.

**SECTION 48: REINSTATEMENT SUSPENDED SERVICE.** Suspended water service may be reinstated upon application for such by the person whose premises are served and upon payment in full of all charges, fees, and penalties.

**SECTION 49: DELINQUENT ACCOUNT FILE.** The Water Works shall maintain a file of Customers who for any reason have unpaid bills with the Water Works. The name of each applicant for a water service connection or reconnection shall be checked against such file of delinquents, and no new connection or reconnection shall be made for a customer with a delinquent amount owing until that customer’s account has been paid in full plus an additional deposit, as provided in these rules.

**SECTION 50: DEPOSIT REQUIRED.** A consumer’s deposit for services is required to secure payment of account. Deposits must be paid prior to service being started. The deposit shall be as follows:

1. Residential: Each residential account shall be required to make a deposit of one hundred dollars ($100.00).
2. Commercial: A deposit shall be required of all commercial accounts. The amount of the deposit shall be determined as follows:
   1. New Customer at Existing Accounts: The deposit shall be the same amount as the account’s highest bill for any billing period within the last two (2) years. No deposit shall be less than one hundred dollars ($100.00).
   2. New Commercial Accounts: The deposit shall be an amount determined by the General Manager and the Secretary based on bills of existing similar type businesses over the last two years.
   3. Commercial deposits of two hundred dollars ($200.00) or less shall be paid in cash.
   4. Commercial deposits of more than two hundred dollars ($200.00) may be paid by either cash or by posting a utility payment bond approved by the Board of Trustees for the amount of the deposit, or by a letter of credit from the consumer’s financial institution. Such letter of credit must be provided in a form dictated by the Knoxville Water Works.
   5. Deposits paid by securing a utility payment bond must be renewed annually and the amount for which the bond must be held will be reviewed and adjusted every two (2) years.

**SECTION 51: DEPOSIT REFUNDED.**

A. Any customer who has an excellent pay history (no more than 1 late

payments and no disconnects) for their initial one (1) year on service,

shall have their deposit refunded, without interest.

B. If a customer does not meet the criteria listed above to have their deposit

refunded, the deposit shall stay on file indefinitely to guarantee payment

toward a final bill.

C. Any customer who has a deposit on file at the time of approval of this

Resolution, and meets the requirements set out under A. above, shall have

their deposit(s) refunded as expeditiously as possible.

**SECTION 52: DEPOSIT WAIVED.**

A. Anyone who has had a deposit refunded under the provisions of Section

51 and has not been off of service with the Knoxville Water Works for

more than one (1) year shall have their deposit fee waived. Commercial

accounts shall not be eligible for deposit waivers.

B. Anyone starting service with the Knoxville Water Works for the first time

or after being off of service for more than one (1) year and can provide a

letter of reference showing an excellent pay history with their most recent

water utility, shall have their deposit fee waived. Commercial accounts

shall not be eligible for deposit waivers.

C. Anyone returning to service with the Knoxville Water Works who has

arrears of any type with the Water Works, shall not be eligible to have

their deposit fee waived, regardless of meeting the criteria above. All

arrears and the deposit must be paid in full prior to service being started.

**SECTION 53: INITIATION OF NEW WATER SERVICE.**

1. Anyone or business requesting to start a new water service must

complete an application form at the Knoxville Water Works office.

**SECTION 54: ADJUSTMENT OF BILLS FOR OVERCHARGES OR UNDERCHARGES – TIME PERIODS – METER TESTING.**

This rule is intended to establish the maximum time period for (1) the collection of billing undercharges, and (2) the refund or credit for billing overcharges. This Service Rule shall supplement all other applicable Service Rules regarding the calculation of billing overcharges and undercharges, the recovery of undercharges, and the refund or credit for overcharges.

The Board of Trustees of the Utility is the governing and regulatory body for the establishment, imposition, adjustment, and collection of rates and charges, including billing adjustments relating to overcharges and undercharges.

Customers and ratepayers (“Customers”) of the Utility shall have a duty to review billing invoices and other billing communications from the Utility, to monitor their utility usage, and to notify the Utility promptly if any billing appears out of the ordinary or excessive in general or relative to prior billings and usage. Such notice shall be given to the Utility’s General Manager. Failure to promptly notify the Utility’s General Manager of a potential or suspected billing overcharge may be a basis for denial of a request for a refund or credit for an overcharge for the time period after the Customer was aware of or suspected the potential overcharge.

The time period for recovery of undercharges and for the refund or credit of overcharges shall be limited as follows:

• The maximum time period for which an undercharge may be recovered by the Utility, and the maximum time period for which an overcharge may be refunded or credited to the Customer, in each case shall be three (3) years.

• There shall be no recovery of an undercharge or refund or credit for an overcharge for time periods more than three (3) years prior to the time notice was given by the Customer or the Utility, as applicable.

• In the case of a failure to promptly notify the Utility or the Customer, as applicable, of a potential or suspected overcharge or undercharge, there shall be no recovery of an undercharge or refund or credit for an overcharge for the time period after the Customer suspected or was aware of the potential overcharge or the Utility suspected or was aware of the potential undercharge.

• No interest shall be applied to or paid on undercharges or overcharges.

Examples:

• If a meter error results in a Customer being overcharged by 10% for each bill for the most recent two-year period and the Customer gives the Utility prompt notice once the Customer suspects the overcharge, the Customer will receive a full refund or credit of the overcharge.

• If the 10% overcharge has occurred for the most recent 7 years and the Customer gives prompt notice to the Utility once the Customer suspects the overcharge, the Customer will receive a refund or credit for the most recent 3 years of the overcharge.

• If the 10% overcharge occurred for a 7-year period which began 10 years ago and stopped 3 years ago, and the Customer gives prompt notice to the Utility once the

Customer suspects the overcharge, the Customer will not receive a refund or credit for the overcharge because the overcharge was more than 3 years ago. The outcome is the same without regard to whether the Customer knew, should have known, or could have known of the overcharge.

Undercharges payable under these Service Rules may be recovered by the Utility by billing the amount of the undercharge on the Customer’s Utility bill in a lump sum or monthly over a period of time up to one year, or through a payment agreement, at the Utility’s discretion. A Customer’s failure to pay an undercharge, or failure to enter into a payment agreement, or breach of a payment agreement, can result in disconnection of service.

Overcharges payable under these Service Rules may be refunded or credited to the Customer, in the Utility’s discretion. If the Utility provides a refund, it may be paid in a lump sum or monthly over a period of time up to one year. If the Utility provides a credit, the credit shall be applied to the Customer’s account balance for the applicable utility for each billing cycle thereafter until the credit has been used in full.

Customers of the Utility may request that the Utility or a qualified third party, in the Utility’s discretion, test the applicable meter at the Customer’s expense, which shall be paid before testing takes place. Meter testing by a third party shall be subject to the Utility’s discretion and scheduling. The Utility may be present for such testing and retains control over all Utility property and meters. If meter testing in accordance with this Service Rule shows an overcharge has occurred, the Utility may accept the findings or perform or obtain a second meter testing. If the initial test results showing an overcharge has occurred is accepted by the Utility, or if such findings are confirmed by a second meter test, and if the overcharge is more than $25, the Utility shall refund the amount of the meter testing cost paid by the Customer.

If a Customer gives notice of a suspected or potential overcharge and the Utility does not agree, and if the source of the overcharge involves the meter, the Customer’s sole remedy is to request a meter test under the terms of this Service Rule.

Authority: This rule is adopted under the authority reserved for and granted to the Utility by applicable law, including the following:

• Municipal Home Rule authority under the Iowa Constitution, as amended (at the time of adoption of this Service Rule, Article III, Section 38A of the Iowa Constitution);

• Iowa Code section 384.84, as amended regarding the establishment, imposition, adjustment, and collection of rates and charges by the governing body of the city utility;

• Iowa Code Chapter 388; and

The provisions of this Service Rule are not subject to and shall not be modified by the discovery rule, theories of continuing violations, or other common law, statutory law, provisions of general contract law, or equitable principles which might otherwise have the effect of extending the time period for or the amount of collection of underpayments and refund or credit for overpayments.

Severability. If any part or provision of this Service Rule is legally declared invalid or unenforceable, that part or provision will be construed consistent with applicable law as nearly as possible, and the remaining parts and provisions will remain in full force and effect. Such invalidity or non-enforceability will not invalidate or render unenforceable any other part or provision of this Service Rule.

02334566\22864-000