

WATER

Chapter 90

WATER

- § 90-1. (Reserved)
- § 90-2. (Reserved)
- § 90-3. (Reserved)
- § 90-4. (Reserved)
- § 90-5. (Reserved)
- § 90-6. Permit required for water connections.
- § 90-7. Stopcocks required.
- § 90-8. Iron extension boxes required for stopcocks.
- § 90-9. Covers for stopcock extension boxes in footways or streets.
- § 90-10. Right of entry for purposes of inspection or for turning off water.
- § 90-11. Failure to repair pipes.
- § 90-12. Waste of water; common pipes; repaving costs.
- § 90-13. Reserved.
- § 90-14. Installation of private pipes.
- § 90-15. Opening or closing public stopcock.
- § 90-16. Repair and maintenance of service pipes and apparatus; nonliability of city.
- § 90-17. Opening fireplug.
- § 90-18. Misuse of fireplug on private premises.
- § 90-19. Obstruction of fireplug, stopcock or other fixture.
- § 90-20. Water for steam pumps.

GLOUCESTER CITY CODE

- § 90-21. **Permits conditioned on nonliability of city.**
- § 90-22. **Permit required for certain air-conditioners.**
- § 90-23. **Water meters required; tampering.**
- § 90-24. **Purchase and installation of meters; temporary unmetered water rate.**
- § 90-24.1. **Temporary water usage needs and charges.**
- § 90-25. **Meters to be sealed.**
- § 90-26. **Expense of maintenance and repair of meters.**
- § 90-27. **Nonfunctioning of meter; notice required.**
- § 90-28. **Testing of meters; cost; adjustment of bills.**
- § 90-29. **Restrictions on use of water.**
- § 90-30. **Payment of water rents; penalty charges.**
- § 90-31. **Schedule of water rents.**
- § 90-31.1. **Schedule of miscellaneous fees.**
- § 90-31.2. **Schedule of city service rates.**
- § 90-32. **Reduced water rents for certain persons over sixty-five years of age.**
- § 90-33. **Arrears in water rents as lien against real property.**
- § 90-34. **Violations and penalties.**
- § 90-35. **Inconsistent ordinances repealed.**
- § 90-36. **When effective.**

[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 3-5-1970. Amendments noted where applicable.]

§ 90-1. (Reserved)¹

§ 90-2. (Reserved)²

§ 90-3. (Reserved)³

§ 90-4. (Reserved)⁴

§ 90-5. (Reserved)⁵

§ 90-6. Permit required for water connections.

No plumber or other person shall, without a permit from the Clerk of the Water Department, introduce a ferrule into any public or private pipes or form any connection or communication whatever with said pipes, or break ground for that or any other similar purpose in the public streets or alleys, or introduce or use a ferrule of a larger diameter than is specified in such permit.

¹ Editor's Note: Former § 90-1, Water Committee: appointment, terms of office, vacancies, was repealed 12-29-1997 by Ord. No. 38-1997.

² Editor's Note: Former § 90-2, Powers of Committee, was repealed 12-29-1997 by Ord. No. 38-1997.

³ Editor's Note: Former § 90-3, Employees of Water Department, as amended, was repealed 12-29-1997 by Ord. No. 38-1997.

⁴ Editor's Note: Former § 90-4, Reports of expenditures; presentation of bills, was repealed 12-29-1997 by Ord. No. 38-1997.

⁵ Editor's Note: Former § 90-5, Approval of bills for payment, was repealed 12-29-1997 by Ord. No. 38-1997.

§ 90-7. Stopcocks required.

Every person who may be supplied with the water from the City Water Department from a branch to be hereafter connected with a private pipe shall have a sufficient stopcock affixed to the said branch as near as conveniently may be to the private pipe aforesaid so as to stop the supply of water through the said branch when requisite and not interrupt the supply of other persons having the right to use the pipe with which such connection may be formed; and every person who may hereafter be supplied with water from a private pipe having a branch or branches connected therewith as aforesaid shall in like manner have a sufficient stopcock affixed to such private pipe above the said branch or branches for the purpose aforesaid.

§ 90-8. Iron extension boxes required for stopcocks.

All plumbers or other persons employed to lay branch pipes, communications with private pipes, or private pipes having a branch or branches aforesaid, or to alter or repair such branch pipes or private pipes as aforesaid, are required and enjoined to affix to such branch pipes and private pipes sufficient stopcocks covered with improved iron extension box.

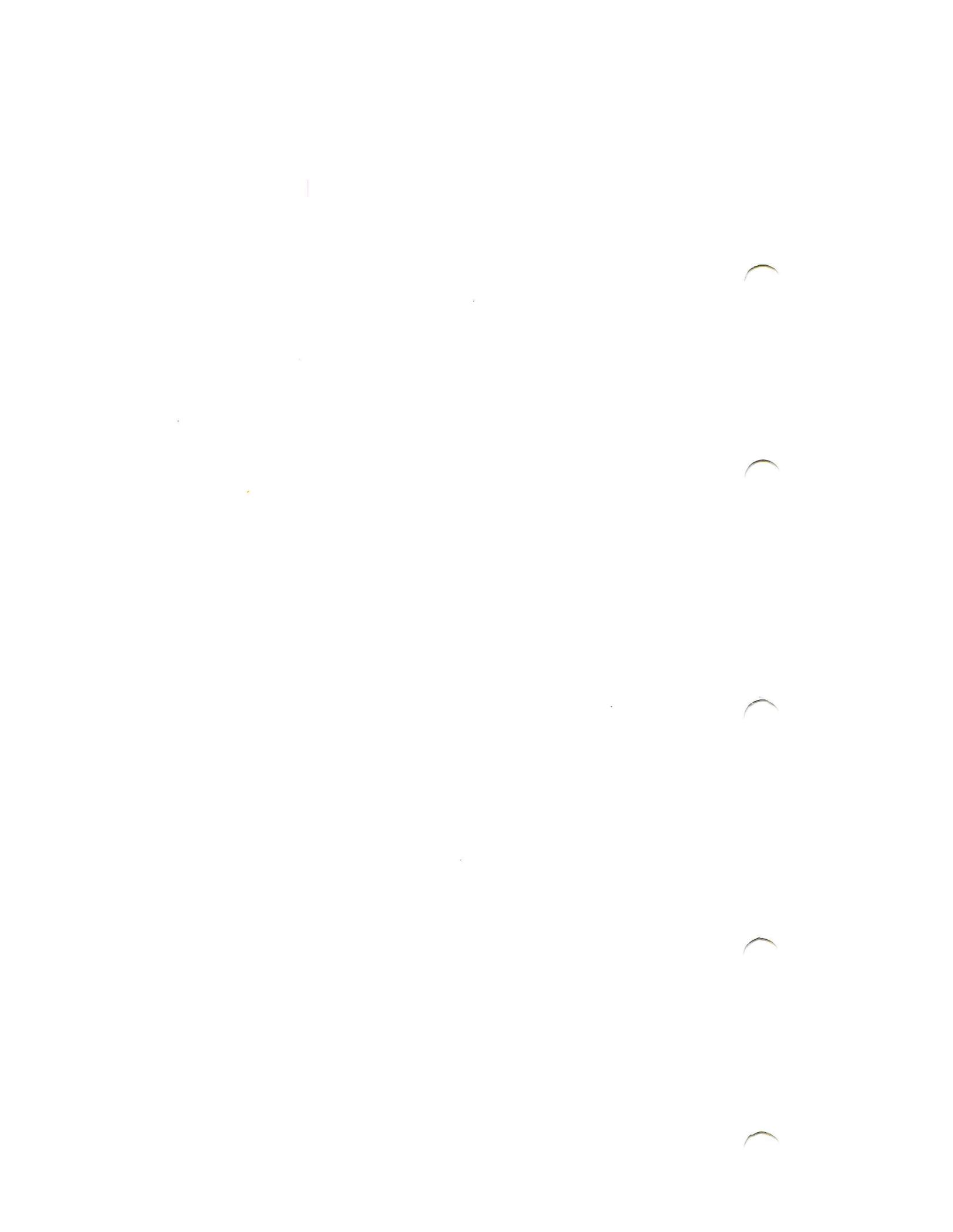
§ 90-9. Covers for stopcock extension boxes in footways or streets.

Over every stopcock placed either within the limits of any footway or in the manner hereinbefore specified, there shall be used a cast-iron extension stopcock box, placed in such a manner that the situation of the laid stopcock may be readily distinguished, which covering, if placed in public street or alley, shall be even with the surrounding pavements.

§ 90-10. Right of entry for purposes of inspection or for turning off water.

In case information shall be lodged with an authorized employee of the Water Department of the actual or probable evasion or disregard of the provision of any ordinance relating to the distribution of water in any building, lot of ground or premises into or through which pipes for conducting a supply of water may be laid, it shall and may be lawful for an authorized employee of the Water Department to enter at all reasonable times into such building, lot of ground or premises for the purpose of examining

(Cont'd on page 9007)



the pipes of conduit and ascertaining whether the same and the cocks and fixtures thereof are in proper order and repair and for cutting off the pipes of communication when delinquencies occur in the payment of water rents.

§ 90-11. Failure to repair pipes.

An authorized employee of the Water Department may inquire, at any dwelling or other place where any unnecessary waste of water proceeds, into the cause of the same; and if said waste proceeds from want of repair in the pipes or other fixtures and if the owner or occupier of such dwelling or place shall neglect or refuse, upon twenty-four (24) hours' written notice being given, to have the necessary repairs made forthwith, the employee shall be and is hereby authorized and empowered to shut off the water leading to such place or dwelling.

§ 90-12. Waste of water; common pipes; repaving costs.

No person shall permit the water to flow unnecessarily from any part of a private pipe or fixture thereof on his or her premises or the premises by him or her occupied, either within a building or enclosure or in any street, court or alley; and in all cases where several premises receive a supply of water by branches, hydrants or other fixtures uniting with a common pipe, each and every person who may so receive the water shall be bound to keep such common pipe in repair; and if at any time it shall be necessary to repair a private pipe within the limits of a cartway of any public street, court or alley, a permit shall be first taken out for so doing, and the expense for repaving shall be paid by such owner or occupier.

GLOUCESTER CITY CODE

§ 90-13. (Reserved)¹

§ 90-14. **Installation of private pipes. [Amended 5-6-1993
by Ord. No. 17-1993]**

All contractors on new construction shall lay new water service lines at a depth of three (3) feet six (6) inches from the surface of the stopcock. Said stopcock shall be installed by the Water Department into the water main. The new service lines shall be of K-copper. All underground fittings shall be flared.

¹ Editor's Note: Former Section 90-13, Tapping Charges, previously codified herein and containing portions of Ordinance Nos. 5-1981, 12-1986 and 17-1993 was repealed in its entirety 11-5-2007 by Ord. No. 024-2007.

the pipes of conduit and ascertaining whether the same and the cocks and fixtures thereof are in proper order and repair and for cutting off the pipes of communication when delinquencies occur in the payment of water rents.

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§ 90-13. Tapping charges. [Amended 9-3-1981 by Ord. No. 5-1981; 10-2-1986 by Ord. No. 12-1986]

A. Taps.

- (1) Whenever it is necessary to make a connection or tap into the water mains of Gloucester City, the applicant or his agent desiring such connection shall apply to the office of the City Treasurer for the issuance of a permit for said connection. Compensation for said permit shall be:
 - (a) For a three-fourths-inch tap: seventy-five dollars (\$75.).
 - (b) For a one-inch tap: one hundred fifty dollars (\$150.).
 - (c) For a two-inch tap: two hundred fifty dollars (\$250.).
 - (d) For a three-inch tap: five hundred dollars (\$500.).
 - (e) For taps four (4) inches and above: one thousand dollars (\$1,000.).
 - (2) Taps two (2) inches and above shall be made by the applicant or his agent who shall be a registered plumber. **[Amended 5-6-1993 by Ord. No. 17-1993]**
- B. No charge shall be made, however, for such ferrule or services when existing ferrules have been removed or detached from the water mains by the Water Department to make alterations to the mains.

§ 90-14. Installation of private pipes. [Amended 5-6-1993 by Ord. No. 17-1993]

All contractors on new construction shall lay new water service lines at a depth of three (3) feet six (6) inches from the surface of the stopcock. Said stopcock shall be installed by the Water Department into the water main. The new service lines shall be of K-copper. All underground fittings shall be flared.

§ 90-15. Opening or closing public stopcock. [Amended 9-3-1981 by Ord. No. 5-1981]

- A. No plumber or other person shall open or close any of the public stopcocks of the pipes of any conduit in the streets without being duly authorized by an authorized employee of the Water Department. **[Amended 9-7-2000 by Ord. No. 21-2000]**
- B. In locating the public stopcock, if excavation is required, the restoration of the area will be the responsibility of the owner.
- C. A fee of \$30 shall be charged the owner for turning off any public stopcock. **[Added 9-7-2000 by Ord. No. 21-2000]**

§ 90-16. Repair and maintenance of service pipes and apparatus; nonliability of city.

- A. All persons who may be supplied with water from any of the city water mains shall keep their own service pipes, stopcocks and apparatus in good order and repair and protected from frost at their own risk and expense and shall prevent all unnecessary waste of water; and it is expressly stipulated that no claim shall be made against the city by the reason of the breaking of any service pipe or service cock or from damage arising from shutting off water to repair a main or making private connections with the same, provided that notice shall be given to persons using water for steam purposes.
- B. For purposes of this chapter, the city shall install, repair, replace and maintain all public water mains, residential stopcocks and service laterals of $\frac{3}{4}$ inch and one inch which lay within and under the bed of any street up to and including the valve at or near the curb known as the "curbstop." All water main stopcocks and service lateral repairs between the curb and the structure which is being serviced by the water system shall be the sole

responsibility of the owner, including the replacement of broken or missing curb box caps and keeping the curb box clear of dirt and debris. [Added 5-6-1993 by Ord. No. 17-1993]

§ 90-17. Opening fireplug.

No person or persons shall open or use any fireplug for building purposes, street sprinkling or supply of shipping or shall permit any plug to be used by any person in his or their employ for any purpose whatever, except in cases of fire in the neighborhood, without a permit for that purpose.

§ 90-18. Misuse of fireplug on private premises.

No person or persons who have been permitted to introduce upon his, her or their premises a fireplug for the protection of their property from fire shall use or permit the same to be used for any purpose whatever except its legitimate use for the extinguishment of fire.

§ 90-19. Obstruction of fireplug, stopcock or other fixture.

No person shall obstruct the access to any fireplug, stopcock or other fixture connected with the supply of water to the city, by placing thereon stone, brick, lumber, dirt or any other material, nor shall he permit any such material to be placed thereon by those in his employ.

§ 90-20. Water for steam pumps.

When it is desired to supply steam pumps, the owners or occupants of the property shall provide a tank in which the water shall be discharged before going to the pump, and no direct connection with the street mains shall be allowed.

§ 90-21. Permits conditioned on nonliability of city.

All permits shall be granted upon the express condition that if, from any cause, the supply of water should fail, the city shall not be held responsible for any damages which shall be claimed of the city by the person or persons to whom the permit is granted.

§ 90-22. Permit required for certain air conditioners.

No person, agent or contractor shall install on any premises in Gloucester City any air conditioner which uses water as its cooling element without first having obtained a permit from the Water Department of Gloucester City.

§ 90-23. Water meters required; tampering. [Amended 12-29-1997 by Ord. No. 38-1997]

No water shall be supplied to any person or persons, firm or corporation or to any premises located in the City of Gloucester City unless a water meter shall be installed to measure the supply of water to said person or persons, firm or corporation or premises. Tampering with or causing a meter to become inoperative by any means shall be considered a violation of the City Code, Criminal Code of the State of New Jersey and Civil Code of the State of New Jersey and will be prosecuted to the extent the law allows, and such cost as may be incurred by the city along with appropriate fines and penalty shall be ordered and collected.

§ 90-24. Purchase and installation of meters; temporary unmetered water rate. [Amended 5-6-1993 by Ord. No. 17-1993]

The type and kind of meter required by § 90-23 of this ordinance shall be of a uniform type as specified by the Water Committee of the Common Council. Commercial and industrial meters may be purchased by the person, firm, corporation or

owner of the premises from the Water Department of Gloucester City at the cost price plus 10% and may be installed by said person, firm, corporation or owner of said premises through his own registered plumber. Residential meters will be installed to existing meter connections by the Water Department, and the cost of the meter, plus 10% will be added to the water bill next issued after said installation has been completed and will become a charge against said premises, collected and enforced as all other water charges are collected and enforced. If said meters have not been installed, the consumer shall pay an unmetered rate, which shall be double the current water rate for said consumer for the prorated period of time, until a meter has been installed.

**§ 90-24.1. Temporary water usage needs and charges.
[Added 7-6-2006 by Ord. No. O11-2006]**

Due to various needs for water for construction, renovation and demolition projects, a temporary water usage account is authorized with the application to and approval of the Environmental Utilities Department of Gloucester City. Any temporary account shall be read monthly by city personnel and billing shall occur monthly. Unmetered water usage shall not be permitted. Charges for a temporary water usage account is as follows:

Project review	\$ 90.00
Account setup	\$ 50.00
Account review	\$ 35.00
Inspection	\$ 50.00
Monthly account service fee	\$ 15.00
Deposit for city required equipment	\$3,000.00*
*may be adjusted based on need	
Usage rate (gallons)	
0-5,000	\$5.00/1,000 gallons
5,001-20,000	\$5.10/1,000 gallons
20,001-30,000	\$5.15/1,000 gallons
30,001-100,000	\$5.20/1,000 gallons

§ 90-25. Meters to be sealed.

All meters will be sealed by the Water Department, and no one except an authorized employee of the Department shall break or injure such seals.

§ 90-26. Expense of maintenance and repair of meters.

All necessary expenses of maintaining, repairing or replacing meters will be borne by the Water Department, provided that said maintenance, repairs or replacements are not rendered necessary by the act, neglect or carelessness of the owner or occupant of any premises, in which case the expense to the Department shall be charged against and collected from the owner of the premises.

§ 90-27. Nonfunctioning of meter; notice required.

If a meter ceases to function for any reason, the owner of the premises shall give immediate notice to the Water Department so that the working parts of said meter may be replaced and the parts withdrawn and repaired.

**§ 90-28. Testing of meters; cost; adjustment of bills.
[Amended 9-3-1981 by Ord. No. 5-1981]**

- A. The accuracy of any meter on any premises will be tested by the Water Department upon the request of the owner. If the meter is found, after testing, to register over 3% more water than actually passes through it, another meter will be substituted therefor without charge. If, however, the meter registers, on testing, less than three percent (3%) more water than actually passes through it, a fee of \$10. will be charged the owner for testing and will be made part of the water bill next issued after said test has been made. If the meter, on testing, registers more than three percent (3%) as above, an adjustment

which is fair and just will be made by the Water Department on the water bill next issued.

B. Water meter certification. [Added 12-21-2011 by Ord. No. O29-2011; 3-27-2014 by Ord. No. O14-2014]

- (1) Large diameter water meters greater than two (2") inches shall be tested and repaired or replaced every ten (10) years.
- (2) At properties where two (2") inch meters or larger are installed. The City will have the meters inspected and tested by a qualified meter testing company. If a meter is not functioning or if the meter is found to register inaccurately by more than one and one-half (1.5%) percent it shall be removed and a new meter installed and retested within fifteen (15) days of install.
- (3) If any inoperative equipment is found it must be repaired, replaced and inspected and approved by the City.
- (4) The owner of the metered premises shall pay all costs incurred for inspection, testing, replacement installation, repairs, maintenance and any related costs. The City at its expense may test and inspect any meter it believes may not be functioning properly. If the test reveals any malfunctions a new or reconditioned certified meter must be installed as well as all required equipment, the owner shall be held responsible for improvements and cost.
- (5) The City will supply replacement meters to its customers meters two (2") inches and larger and they shall be paid for by owner of the premises.

§ 90-29. Restrictions on use of water.

Where water is supplied through a meter, no restriction upon the quantity of water used on any premises will be enforced, except for the following reasons:

A. Water emergencies. [Amended 2-26-2015 by Ord. No. O02-2015]

- (1) Declaration of water emergency. Whenever the governing body shall be satisfied and finds that water emergency exists in the municipality, it may adopt a resolution declaring that a water emergency exists in the municipality. Such resolution shall be adopted by the governing body at any regular, special, adjourned or emergency public meeting of the governing body. Such resolution shall identify that portion of the municipality affected by in the water emergency, which may include the entire municipality and shall specify which of the water use regulations contained in paragraph (2) below is being imposed as well as any exemptions as may be authorized. Such resolution shall be effective immediately upon publication according to law and shall continue in effect for ninety (90) days, unless extended or repealed as set forth in paragraph (3) below. For the purpose of this paragraph, a water emergency shall exist if, for any of the following reasons:
 - (a) City of Gloucester had adopted water use restrictions, has notified New Jersey Department of Environmental Protection, as well as any other State, county or local agency entitled to notice of such restrictions and such restrictions are not overruled or declared invalid by any State, county or local agency having the jurisdiction and power to do so, or
 - (b) The governing authority is otherwise satisfied that a water emergency exists in the municipality.
- (2) Water use restrictions. Upon adoption by the governing body of a resolution declaring that a water emergency exists in the municipality in accordance with paragraph (1) above, all citizens

shall be urged to observe voluntary indoor conservation measures and, any of the following water use restrictions shall be imposed and shall be applicable to all residents and tenants, except where a bona fide health emergency exists and to exempt businesses, as specified herein during the water emergency:

- (a) The complete ban and prohibition of outside water usage, including the watering of lawns and plants, the filling of pools and the washing of cars; or
 - (b) Outside water usage on alternate days allowing outside water usage by persons or businesses having even house or box numbers on even days and those having odd house or box number on odd days with outside water usage being completely banned and prohibited on the thirty-first day of any month during the water emergency; or
 - (c) Any other water use restriction specified by the governing body in the resolution required by paragraph (1) above which is reasonable under the circumstances considering the nature and extent of the water emergency. Any water restriction imposed pursuant to this paragraph shall be limited in application to that portion of the municipality, which may include the entire municipality, identified as being affected by the water emergency in the resolution of the governing body adopted in accordance with paragraph (1) above.
- (3) Duration of water use restrictions. The resolution of the governing body required by paragraph (1) above shall, in addition to complying with paragraph (1), provide a period of time during which the water use restrictions imposed shall be applicable and which shall be no longer than reasonably necessary to

abate the water emergency under the circumstances considering the nature and extent of the water emergency. At the expiration of the time period specified in the resolution, the water use restriction shall lapse and be inapplicable and unenforceable. If the governing body shall be satisfied that the water emergency has been abated to the expiration of the time period specified in the resolution, it shall adopt a resolution declaring the water emergency ended and the water use restriction inapplicable. If, at the expiration of the time period specified in the resolution, the governing body shall be satisfied that the water emergency continues to exist, it may adopt a resolution in accordance with the requirements of this Subsection A. continuing the water use restrictions.

- (4) Enforcement of water use restrictions. The water use restrictions imposed pursuant to this subsection shall be enforced during a water emergency by the local authorized official. Whenever a local authorized official shall find a violation of the water use restrictions, such authorized official shall give the violator a written warning and explain the penalties for a second and third offense as provided in paragraph (5) below. The local authorized official shall keep such records as may be reasonable and necessary for the purpose of determining the persons and businesses who have been warned upon first offense. The local authorized official is hereby empowered to write summonses for the violation of the water use restrictions imposed pursuant to this subsection.
- (5) Penalties. After a first offense in accordance with paragraph (4) above, any person or business who thereafter violates the water use restrictions imposed pursuant to this subsection shall be fined or imprisoned in accordance with this paragraph.

For a second offense, the fine imposed shall be \$500. or imprisoned for ten (10) days or both. For a third and subsequent offense, the fine imposed shall be \$1,000. or imprisoned for thirty (30) days or both.

- B. To avoid undue waste, the Water Department may shut off the water.
- C. For failure of the consumer to maintain connections, service lines or fixtures in good order, the Water Department may shut off the water.
- D. For refusal of access for the purpose of inspecting or repairing, caring for or removing meters, the Water Department may shut off the water.

§ 90-30. Payment of water rents; penalty charges.

[Amended 12-20-1993 by Ord. No. 39-1993; 11-2-1995 by Ord. No. 25-1995; 5-6-2004; by Ord. No. 007-2004; 11-23-2010 by Ord. No. O26-2010]

All water rents shall become due and payable quarterly to the City Tax Collector at his/her office in the Municipal Building, Gloucester City, New Jersey, within thirty (30) days from the date of said bill. All water rents shall be due regardless of whether the property is vacant or occupied. Unpaid accounts after the thirty-day due date will receive a penalty charge of eight percent (8%) per annum on the first \$1,500, and eighteen percent (18%) per annum on any amount about \$1,500, to be charged from the date that said water rent becomes due and payable, shall be paid. Twenty (20) days after the due date a delinquent fee of \$65 per bill will be applied to any and all overdue accounts. A notice of this fee will be mailed at least ten (10) days prior to this charge. Said quarterly bills for water rent shall be issued by the City Tax Collector on or about the first day of each billing period. The Collector may request the governing body, pursuant to law and by resolution, to annually authorize a year-end penalty of six percent (6%) on any unpaid balances.

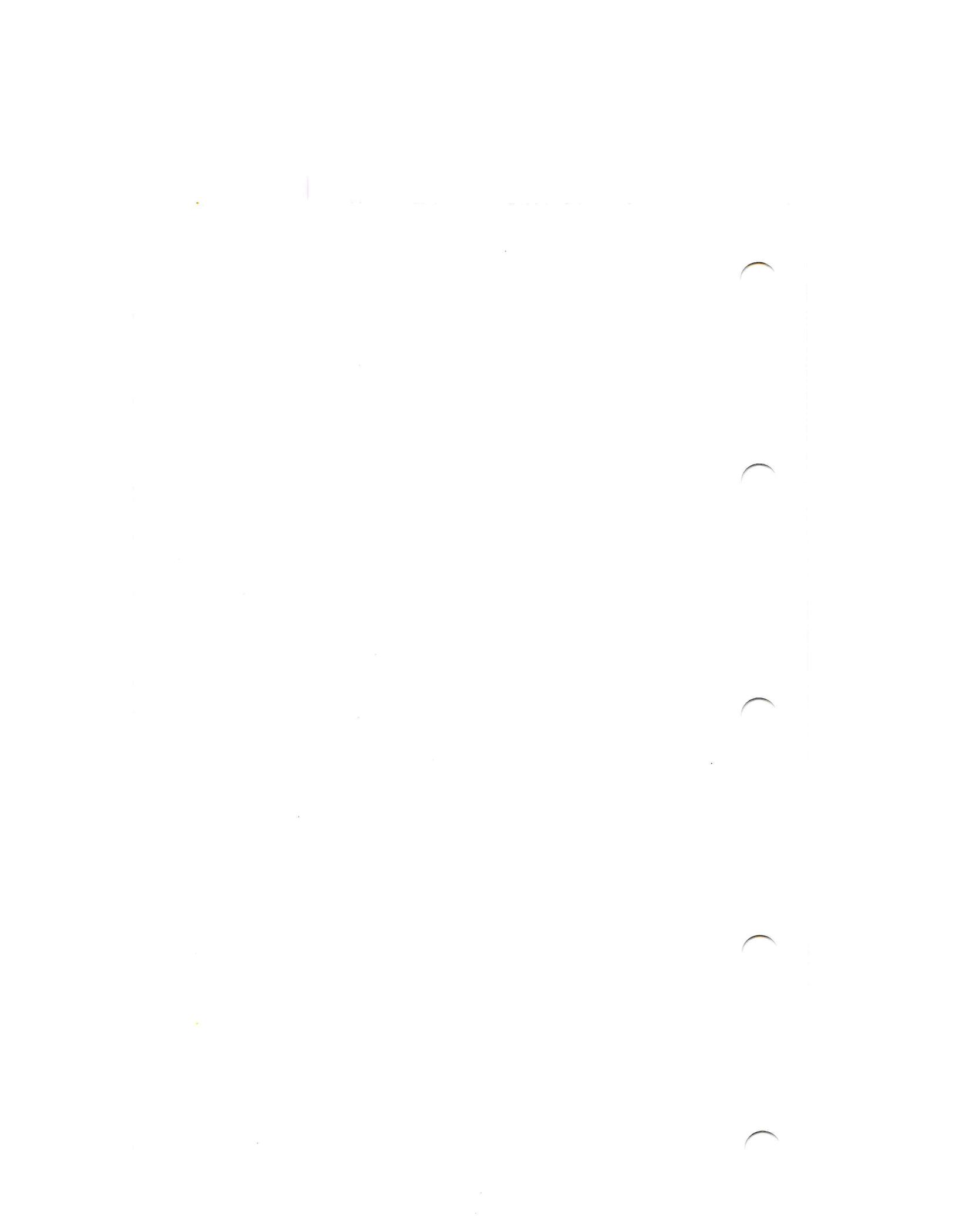
The Utility Department may cause the water to be shut off at any property where payments are returned by the bank causing that payment to be removed from the account, until that payment is replaced with certified funds. Appropriate turn off and turn on and return check fees will also be charged to the property account.

§ 90-31. Schedule of water rents.

[Amended 12-20-1973; 9-3-1981 by Ord. No. 5-1981; 11-5-1987 by Ord. No. 16-1987; 11-18-1991 by Ord. No. 18-1991; 12-3-1992 by Ord. No. 29-1992; 12-20-1993 by Ord. No. 42-1993; 1-5-1995 by Ord. No. 3-1995; 3-7-1996 by Ord. No. 6-1996; 5-2-2002 by Ord. No. 10-2002; 7-7-2005 by Ord. No. O17-2005; 11-5-07 by Ord. No. O24-2007; Ord. No. 12-21-2011 by Ord. No. O29-2011; 3-27-2014 by Ord. No. O14-2014]

The following schedule of charges shall become effective on or about May 1, 2014.

Water Rate Schedule		
Meter Size (inches)	Minimum Charge Per Quarter	Allowance in Gallons
5/8" x 3/4"	\$62.40	10,000
3/4"	\$87.60	10,000
1"	\$138.00	10,000
1 1/2"	\$248.40	10,000
2"	\$386.40	30,000
3"	\$627.40	40,000
4"	\$862.80	70,000
6"	\$1,725.60	80,000
8"	\$2,208.00	150,000
10"	\$2,760.00	160,000



Excess Usage Rates

Any additional metered amounts over the allowance per quarter as follows:

Gallons	Charge per 1,000 Gallons	
	Residential Rate	Commercial Rate
0 to 5,000	\$5.75	\$6.00
6,000 to 10,000	\$6.50	\$7.00
11,000 to 15,000	\$7.25	\$8.00
16,000 to 20,000	\$8.50	\$9.00
21,000 to 30,000	\$9.00	\$10.00
Over 31,000	\$10.00	\$10.00

§ 90-31.1. Schedule of miscellaneous fees. [Added 5-2-2002 by Ord. No. 10-2002; amended 11-5-2007 by Ord. No. O24-2007; 12-21-2010 by Ord. No. 029-2010; 3-27-2014 by Ord. No. O14-2014]

The following schedule of fees shall be assessed by the Utility Division of the Department of Public Works and paid to the Tax Collector upon notice from the Division of Utilities:

Service	Rate
Administration fee	\$42.00
Water turn on or off (normal hours)	\$24.00
Water turn on or off (after hours/holidays)	\$60.00
Reprocessing charges (check cashing)	\$100.00
Collection fee - City personnel posting of notice on property for shut off	\$25.00
Final read/Utility Inspection	\$75.00
Reread of meter	\$35.00
Charge for missed appointments (after 1st miss)	\$35.00

§ 90-31.2. Schedule of city service rates. [Added 5-2-2002 by Ord. No. 10-2002]

The following schedule of fees shall be assessed by the Utility Division of the Department of Public Works and paid to the Tax Collector upon notice from the Division of Utilities:

Service	Fee (per hour)
Jet truck with operator	\$100
Vacuum truck with operator	\$100
Back hoe with operator	\$95
Support vehicles (pick up, vans, etc.)	\$25
All portable equipment (pumps, tools, etc.)	\$25
Consultant fee superintendent	\$90

§ 90-32. Reduced water rents for certain persons over sixty-five years of age.

When any dwelling unit is owned and occupied by a person or persons who is or are over 65 years of age and who are not gainfully employed and are the sole support of themselves, then in such instances the minimum charge for water per quarter shall be at the rate of 1/2 the regular minimum charge, provided that the section shall not apply to the charge made for water used over the allowance gallonage per quarter.

§ 90-33. Arrears in water rents as lien against real property.

All arrears of water rent and all expenses incurred thereon against the owner or reputed owner of real estate by virtue of this ordinance shall be and remain a lien against said real estate from the time the same is certified until the same shall be paid and satisfied, and in case of the nonpayment thereof, said real estate shall be proceeded against in the manner and under the same regulations and restrictions prescribed by Section 10 of an act entitled "An Act to Enable Cities to Supply

the Inhabitants Thereof With Pure and Wholesome Water," approved April 21, 1876, and the supplements thereto.

§ 90-34. Violations and penalties.

Any person violating any of the provisions of this ordinance shall, upon conviction, be subject to a fine not exceeding \$500 or imprisonment for a term not exceeding 90 days, or both.

§ 90-35. Inconsistent ordinances repealed.

All ordinances or portions of ordinances inconsistent with this ordinance be and the same are hereby abrogated and repealed.

§ 90-36. When effective.

This ordinance shall take effect after final passage and publication as provided by law.

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