

## Chapter 700

### SEWER REGULATIONS

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**Section 700.010. Definitions.**

[CC 1995 §700.010; Ord. No. 45-053 Art. I, 11-13-1984]

Unless the context specifically indicates otherwise, the meanings of terms used in this Chapter shall be as follows:

**BOD (denoting BIOCHEMICAL OXYGEN DEMAND)** — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Centigrade (20° C), expressed in milligrams per liter.

**BUILDING DRAIN** — That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

**BUILDING SEWER** — The extension from the building drain to the public sewer or other place of disposal.

**CITY** — The City of Anderson, Missouri.

**COMBINED SEWER** — A sewer receiving both surface runoff and sewage.

**GARBAGE** — Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

**INDUSTRIAL WASTES** — The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

**NATURAL OUTLET** — Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

**PERSON** — Any individual, firm, company, association, society, corporation, or group.

**pH** — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**PROPERLY SHREDDED GARBAGE** — The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

**PUBLIC SEWER** — A sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

**SANITARY SEWER** — A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

**SEWAGE** — A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

**SEWAGE TREATMENT PLANT** — Any arrangement of devices and structures used for treating sewage.

**SEWAGE WORKS** — All facilities for collecting, pumping, treating, and disposing of sewage.

**SEWER** — A pipe or conduit for carrying sewage.

**SHALL** — Is mandatory; **MAY**: Is permissive.

**SLUG** — Any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

**STORM DRAIN (sometimes termed STORM SEWER)** — A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

**SUPERINTENDENT** — The Superintendent of Sewage Works and/or of Water Pollution Control of the City of Anderson or his/her authorized deputy, agent, or representative.

**SUSPENDED SOLIDS** — Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

**WATERCOURSE** — A channel in which a flow of water occurs, either continuously or intermittently.

**Section 700.020. Use of Public Sewer Required.**

**[CC 1995 §700.020; Ord. No. 45-053 Art. II, 11-13-1984]**

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Anderson, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.

- B. It shall be unlawful to discharge to any natural outlet within the City of Anderson, or in any area under the jurisdiction of the City, any sewage or other polluted wastes, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- D. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City, is hereby required at his/her expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

**Section 700.030. Private Sewage Disposal.**

**[CC 1995 §700.030; Ord. No. 45-053 Art. III, 11-13-1984]**

- A. Where a public sanitary or combined sewer is not available under the provisions of Section 700.020 (D), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section.
- B. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the County Sanitarian. The application for such permit shall be made on a form furnished by the County, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Superintendent.
- C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the County Sanitarian.
- D. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health and Department of Natural Resources of the State of Missouri. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- E. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.
- F. No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the County Sanitarian.
- G. When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

**Section 700.040. Building Sewers and Connections.****[CC 1995 §700.040; Ord. No. 45-053 Art. IV, 11-13-1984]**

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
- B. There shall be two (2) classes of building sewer permits:
  - 1. For residential and commercial service, and
  - 2. For service to establishments producing industrial wastes.

In either case, the owner or his/her agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of twenty-five dollars (\$25.00) for a residential or commercial building sewer permit and fifty dollars (\$50.00) for an industrial building sewer permit shall be paid to the City at the time the application is filed.

- C. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- D. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.
- E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Chapter.
- F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
- G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

- H. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- I. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
- J. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his/her representative.
- K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

**Section 700.050. Use of the Public Sewers.**

[CC 1995 §700.050; Ord. No. 45-053 Art. V, 11-13-1984]

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- B. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water of unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.
- C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
  - 1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
  - 2. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in the receiving waters of the sewage treatment plant, including, but not limited to, cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

3. Any waters or wastes having a pH lower than five and one-half (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage 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.
5. Any waters or wastes having:
  - a. A five (5) day BOD greater than three hundred (300) parts per million by weight, or
  - b. Containing more than three hundred fifty (350) parts per million by weight of suspended solids, or
  - c. Having an average daily flow greater than two percent (2%) of the average sewage flow of the City, shall be subject to the review of the Superintendent. Where necessary in the opinion of the Superintendent, the owner shall provide, at his/her expense, such preliminary treatment as may be necessary to
    - (1) Reduce the biochemical oxygen demand to three hundred (300) parts per million by weight, or
    - (2) Reduce the suspended solids to three hundred fifty (350) parts per million by weight, or
    - (3) Control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- D. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his/her opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150° F.) (65° C.).
2. 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 degrees Fahrenheit (32° F.) and one hundred fifty degrees Fahrenheit (150° F.) (0 and 65° C.).
3. 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 Superintendent.
4. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
5. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
6. Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
8. Any waters or wastes having a pH in excess of nine and one-half (9.5).
9. Materials which exert or cause:
  - a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet

the requirements of other agencies having jurisdiction over discharge to the receiving waters.

- E. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Subsection (D) of this Section, and which in the judgment of the Superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
1. Reject the wastes;
  2. Require pretreatment to an acceptable condition for discharge to the public sewers;
  3. Require control over the quantities and rates of discharge; and/or
  4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Subsection (J) of the Section.

If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances, and laws.

- F. Grease, oil, and sand interceptors shall be provided when in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.
- G. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.
- H. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his/her expense, and shall be maintained by him/her so as to be safe and accessible at all times.
- I. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control



manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pHs are determined from periodic grab samples.)

- J. No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the City and industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment, therefor, by the industrial concern.

**Section 700.060. Protection From Damage.**

**[CC 1995 §700.060; Ord. No. 45-053 Art. VI, 11-13-1984]**

No unauthorized person shall 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.

**Section 700.070. Powers and Authority of Inspectors.**

**[CC 1995 §700.070; Ord. No. 45-053 Art. VII, 11-13-1984]**

- A. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Chapter. The Superintendent or his/her representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- B. While performing the necessary work on private properties referred to in Subsection (A) hereof, the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 700.050 (H).
- C. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to,

inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

**Section 700.080. Penalties.**

**[CC 1995 §700.080; Ord. No. 45-053 Art. VIII, 11-13-1984]**

- A. Any person found to be violating any provision of this Chapter except Section 700.060 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.
- B. Any person who shall continue any violation beyond the time limit provided for in Subsection (A) hereof shall be guilty of an ordinance violation, and on conviction thereof shall be fined in an amount as set forth in Section 100.220 of this Code for each violation. Each day in which any such violations shall continue shall be deemed a separate offense.
- C. Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

## Chapter 705

### WATER SYSTEM RULES AND REGULATIONS

#### ARTICLE I

##### Water System Rules, Regulations And Rates

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Editor's Note: Res. No. 2017-1R set the fees for Chapter 705 as authorized herein. Same is held on file in the City offices.

**ARTICLE I  
Water System Rules, Regulations And Rates**

**Section 705.010. General.**

**[Ord. No. 071817B § 1, 7-18-2017]**

These rules and regulations have been adopted to govern the water services furnished by the City in a uniform manner for the benefit of the City and its water users and are subject to change as herein provided without notice to any water users or any other person.

**Section 705.020. Definitions.**

**[Ord. No. 071817B § 1, 7-18-2017]**

The following expressions, words and terms, when used herein, shall have the meanings stated below:

**APPLICANT** — Any individual, firm, partnership, corporation, the Federal or State Government or any unit, agency, political corporation or subdivision of either the Federal or State Government or other agency applying for a water user's agreement.

**DIRECTOR OF PUBLIC WORKS** — May be appointed by the Board of Aldermen, if none is appointed, the Director of Public Works shall be the Mayor or the City of Anderson.

**LANDOWNER** — Any person owning property served by the water system of the owner and who has a leasehold interest therein with more than a year to run. The term "landowner" shall also include life tenants but the owner may at its discretion require remaindermen to

enter into any agreement required with the property owner under these rules and regulations and the remaindermen shall obey these rules and regulations in all respects.

OWNER — City of Anderson.

POINT OF DELIVERY — The point of delivery shall be at the meter, unless otherwise specified in the water user's agreement or in any other agreement where it shall be mentioned.

SERVICE — The term "service," when used in connection with the supplying of water, shall mean the availability for use by the water user of water, subject to the provisions of these rules and regulations. Service shall be considered as available when the owner maintains the water supply at a minimum of twenty (20) p.s.i. pressure at the point of delivery with the service line static, in readiness for the water user's use, regardless of whether the water user makes use of it.

STATE COMMISSION — The Safe Drinking Water Commission created in Section 640.105, RSMo., shall promulgate rules necessary for the implementation, administration and enforcement of Sections 640.100 to 640.140, RSMo., and the Federal Safe Drinking Water Act as amended.

USER — Any individual, firm, partnership, corporation, the Federal or State Government or any unit, agency, political corporation or subdivision of either the Federal or State Government or other agency receiving water or waste services, or to whom water services are made available from the owner's facilities pursuant to a written water user's agreement.

WATER SERVICE — Water service shall consist of facilities for supplying water to one (1) residence or business establishment located on land within the jurisdiction of the owner.

WATER USER'S AGREEMENT — The written contract between the water user and the owner pursuant to which water service is supplied or made available.

#### **Section 705.030. Rate Schedule.**

##### **[Ord. No. 071817B § 1, 7-18-2017]**

The rate schedules for water service are fixed by the City. The rate schedule is subject to change by action of the City, with the approval of the State Director of the Farmers Home Administration, so long as the City has unpaid obligations which are held or insured by the United States of America. If a provision of the rules and regulations conflicts with the provisions of the rate schedule, the provision of the rate schedule shall prevail. If the total amount of revenue and income derived from the collection of the water rates is insufficient to meet the payment of the costs of operation, maintenance, depreciation, necessary extensions and enlargements, and payments of the principal and interest on any general and special obligations bonds, then outstanding with their attendant obligations pursuant to the terms of the bonds and the authorizing resolutions, the City shall increase the water rates for the first month thereafter in an amount sufficient to meet these costs and obligations.

**Section 705.040. Meter Reading.****[Ord. No. 071817B § 1, 7-18-2017]**

The City may require, at its discretion, for meters to be read by the water users and readings reported to the City.

**Section 705.050. Applications.****[Ord. No. 071817B § 1, 7-18-2017]**

Applicants for a water user's agreement shall make application to the City. Such applications shall be in writing and the City shall prescribe the form of such application.

**Section 705.060. Service.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. **Readiness To Accept.** Before installing a service extension and providing water, the City may require the applicant to pipe his/her home and be in readiness to accept the service.
- B. **Service For Sole Use Of The Water User.** The standard water service connection is for the sole use of the water user and does not permit the extension of pipes to transfer water from one (1) property to any other consumer nor will the user share, resell or submeter water to any other consumer. If an emergency or specific situation should make such an arrangement advisable, it shall be done only on specific written permission of the owner for the duration of the emergency. No more than one (1) residence shall be served by one (1) water service connection. A farm containing one (1) residence and other buildings for use in the farming operation shall be considered as one (1) residence and the water user may use water from one (1) meter for all such buildings; provided that in the event that a farm contains two (2) or more residences, a meter shall be required for each residence, unless the City shall find such to be an unusual hardship upon the water user, in which case a special agreement may be made concerning such additional residence and the rules for a multiple-unit dwelling as set forth in these rules and regulations shall be applied to determine the rate for such farm containing two (2) residences.
- C. **Hardship Agreements.** The City may enter into a special agreement whereby a right of entry is granted to the City to read a meter placed on private property for remotely located residences or remotely located water uses, where the location of the meter as provided in these rules and regulations would, in the City's opinion, cause undue hardship and expense on the water user. Such special agreements must be written and no water user or applicant for water service shall have any right to force the City to enter into such a special agreement, but such agreements must be entered into solely at the discretion of the City. The City may in the alternative apply the multiple-unit residence rule stated in these rules and regulations.
- D. **Continuity Of Service.** The City will make all reasonable efforts to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purpose of making repairs, connections, extensions or for other necessary work. Efforts will be made to notify water users whenever possible who may be affected by such interruptions,

but the City will not accept responsibility for losses which may occur due to such necessary interruptions. The City does not accept responsibility and shall not be liable for losses due to failure of the City to notify any water user of any such interruption.

- E. Services. The City will install all water service pipes from its mains to the meters on property abutting the right-of-way along which the main is installed insofar as its current financial responsibilities, obligations and conditions will permit and insofar as adequate water pressure is available at the point of delivery requested by the applicant or water user, but not to exceed a maximum distance of fifty (50) feet from City's main. The service pipe shall not be less than three-fourths (3/4) inch in size and the City will also install and pay for the City's main connection, meter and meter setting. The meter will be set at the point on the water user's premises designated by the City. The charge for services to be made by the City, shall be that amount specified in these rules and regulations or as otherwise provided by the City, but in no event shall it be less than the cost to the City.
- F. Right To Inspect. Representatives of the City shall have the right at reasonable hours to enter upon the water user's premises to read and test meters, inspect piping and to perform other duties for the maintenance and operation of service or to remove its meters and equipment upon discontinuance of service by the water user.
- G. Piping Work To Be Inspected. All piping work in connection with pipe and services connected with the City's main shall be submitted to the inspection of the owner before such underground work is covered up. Whenever the City determines that job of plumbing is obviously defective, although not in direct violation, the City may require that it be corrected before the water will be turned on. The City may prescribe the type of materials and the standard of workmanship to be followed in enforcing this Section.
- H. Intercepting Tank Required For Large Customers. Service pipes shall not be connected to the suction side of pumps. The supply for use of a character requiring a large quantity of water within a short period will not be permitted except through intercepting or intermediate storage tanks.
- I. Check Valves, Flush Valves And Vacuum Breakers. Water users having boilers or hot water systems connected with mains of the City must have a check valve in the supply pipe to the boilers and hot water heating systems, together with a release valve at same point between the check valve and the heating system. All water users are hereby cautioned against danger of collapse of boilers since it is sometimes necessary to shut off the supply of water without notice, and for this reason a vacuum valve should be installed in the steam lines to prevent their collapse in case the water supply is interrupted. The City, however, will not be responsible for accidents or damages resulting from the imperfect action or failure of such valves.
- J. Cross-Connections And Interconnections. The City will not allow to be made any physical connection in its water supply system to that of any other pipe system or equipment where such other pipe system or equipment in any manner receives all or any part of its supply of water directly or indirectly from wells, streams or any service other than that of the water system of the City. No interconnection or cross-connection, as defined below, shall be permitted. The making, causing or permitting of the installation

or existence of any interconnection or cross-connection shall constitute a violation of the rules and regulations of the City and such prohibited connection shall be removed forthwith in a manner acceptable to the City and the duly constituted public health officials.

1. Failure to do so within two (2) days from and after date of notification by the City may result in discontinuance of water service without further notice.
2. When used in these rules and regulations, the following words and phrases shall have the meaning herein provided:

**CROSS-CONNECTION** — Any pipe, valve or other arrangement or device connecting the pipe lines of the City or facilities directly or indirectly connected therewith to and with pipes or fixtures supplied with water from any source other than the lines of the City directly connected.

**INTERCONNECTION** — A plumbing arrangement, other than a cross-connection, by which contamination might be admitted or drawn into the distribution system of the City, or into lines connect therewith, which are used for the conveyance of potable water.

- K. **Applicants Having Excessive Requirements.** In the event of an applicant whose water requirements are bound to exceed the City's ability to supply it from existing physical assets without adversely affecting service to other water users, the City will not be obligated to render such service, unless and until suitable financing is provided by the applicant to cover the additional physical assets. The City has no obligation to reimburse the applicant for any physical assets provided.
- L. **Customer's Duty Regarding Service Lines.** The water user's service pipe and all connections and fixtures attached thereto shall be subject to the inspection of the City before the water will be turned on, if the City so elects, and all properties receiving a supply of water and all service pipes, meters and fixtures, including any and all fixtures within any improvements or buildings on said properties, shall at all reasonable hours be subject to inspection by any duly authorized employee or agent of the City.
1. All service pipes shall be laid at all points at least forty-two (42) inches below the surface of the ground and shall be placed on firm and continuous earth so as to give unyielding and permanent support. They shall not be laid in sewer ditches. It shall be installed in the trench at least eighteen (18) inches in a horizontal direction, in undisturbed earth, from any other trench wherein are laid gas pipe, sewer pipe or for other facility, public or private. Such service line shall not pass through premises other than that to be supplied unless the owner shall so agree in writing.
  2. Water user shall, at his/her own cost and expense, make all changes in the service pipe required or rendered necessary on account of changes in the street grades, relocation of mains or other causes.
  3. No fixture shall be attached to, or any branch made in, the service pipe between the main of the City and the meter.



4. Any repairs or maintenance necessary to the service pipe or any pipe or fixture in or upon the water user's premises shall be performed by the water user at his/her sole expense and risk.
  5. Service pipes must be kept and maintained in good condition and free from all leaks and for failure to do so the water supply may be discontinued.
  6. The City shall in no event be liable for any damage done or inconvenience caused by reason of any break, leak or defect in, or by water escaping from, service pipes or from fixtures on the premises of the City or water user. The water user shall be billed in the usual manner for the cost of all such water according to the rate schedule of the City as provided for in this Article.
- M. No One But Owner's Employee May Turn Water On Or Off. No one but an employee or a person authorized by the City shall turn on water or shut off water to any water user or to any property, except in the case of escaping water.
- N. Water Users Requiring Uninterrupted Supply. The City will endeavor to give reasonable service but does not guarantee a sufficient or uniform pressure or an uninterrupted supply of water and water users are cautioned to provide sufficient storage of water where an absolutely uninterrupted supply must be assured, such as steam boilers, hot water heating systems, gas engines, etc.

Fixtures or devices taking a supply of water directly from the service pipes, depending upon the hydraulic pressure of the pipes system of the City for supplying same under working pressure, would do so at the risk of the parties making such attachment, as the City will not be responsible for any accidents or damages to which such fixtures or devices are subject.

#### **Section 705.070. Fire Hydrants.**

**[Ord. No. 071817B § 1, 7-18-2017]**

Private fire hydrants may be installed by a written agreement with the City, provided that the City shall take into account all possible costs to the City and charge an equitable price therefore, all cost factors considered. Public fire hydrants may be installed by special agreement with the State, a municipality, political subdivision or political corporation and the City shall take into consideration the same factors when entering such a contract.

#### **Section 705.080. Meters.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. Meters Furnished By City. Any persons receiving water from the City of Anderson, Missouri, will have a water meter connection to determine usage and to disconnect service in the event of non-payment of the bill. Meters will be owned, inspected, tested and kept in proper operating condition by the City without cost to the water user, except that such water user shall pay a connection fee as set forth in these rules and regulations, which shall not be refundable, as well as a reasonable meter installation fee to be

determined be the Board of Aldermen. The complete record of tests and histories of meters will be kept if deemed necessary by the City. Meter tests will be made by the City as often as deemed necessary by the City.

- B. Meter Accuracy. Service meter errors which do not exceed two percent (2%) fast or slow shall be considered as being within the allowable limits of accuracy for billing purposes. The percentage of error at full load and that at ten percent (10%) load, unless a water user's rate of usage is known to be practically constant, in which case the error at such constant use will be used.
- C. Meter Location. Meters shall be set in an accessible place on the outside of buildings, except where otherwise directed by the City. All meters shall be set horizontally and never connected into a vertical pipe. Meters outside of the buildings shall be placed in meter boxes furnished and installed by the City.
- D. Requested Meter Test. If a water user shall desire a test of water meter for accuracy, the water user shall make a request and shall also make a twenty dollar (\$20.00) deposit with the City. If the meter shall be found to be in error in excess of two percent (2%), the previous month's water bill only will be reduced by the amount of error, and the twenty dollar (\$20.00) deposit will be credited to water user's water service account. If the meter is not in error, as herein defined, the water user shall pay the entire cost of testing a water meter for accuracy and the twenty dollar (\$20.00) deposit will be applied to the amount due for the water meter testing.
- E. Water User's Responsibility. The water user shall be responsible for any damage to the meter installed for his/her service for any cause other than normal wear and tear.

#### **Section 705.090. Water User's Bills.**

##### **[Ord. No. 071817B § 1, 7-18-2017]**

Bills will be rendered for service by the first working day of the month immediately following the close of the period for which the service was rendered as set forth in the rate schedule. Water user's bills are payable in full by 4:00 p.m. on the twenty-first (21st) day of each month, unless the twenty-first (21st) day of the month is not a regular City business day. Failure of the City to submit a service bill shall not excuse the water user from obligation to pay for the water used. Failure to pay the bill within ten (10) days of the twenty-first (21st) of each month shall result in the disconnection (actual or technical) of the water service. Water service shall not be reconnected until a reconnection fee of twenty dollars (\$20.00) and the unpaid amount of the water user's bill shall have been made to the City of Anderson in cash or certified funds. Such disconnection shall be made without the necessity of notice to the water user. Every water user in the City of Anderson may negotiate a "payment contract" with the City of Anderson to provide for alternative methods of payment of water user bills. Water users may not use the "payment contract" more than two (2) times in any calendar year. The "payment contract" must be negotiated and signed no later than 4:00 p.m. on the twenty-first (21st) day of the month, unless the twenty-first (21st) day of the month is not a regular City business day, in which case the "payment contract" must be signed no later than 4:00 p.m. on the next regular City business day. Any damage resulting to the water user or any property of the water user or the land owner of the property occupied by the water user shall not be the

responsibility of the City, its agents or employees. The City, its agents and its employees shall not be liable to the water user or land owner of any property used, held, occupied, rented or leased by the water user for any such damage when disconnection is made according to this Section, and it shall be immaterial that no notice of such disconnection was given to the water user or to said property owner.

**Section 705.095. Water System Disconnection Policies.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. If a water user's water service is to be disconnected for the violation of Section 705.090 and the disconnection date falls on the Friday of any week, the disconnection shall be made on the next business day.
- B. If a water user's water service is to be disconnected for violation of Section 705.090 and the disconnection date falls on the day before a holiday recognized by the City of Anderson or on a holiday recognized by the City of Anderson, the disconnection shall occur on the next business day.

**Section 705.100. Security Deposits, Disconnection And Reconnection Charges For All Users.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. All water users of the City of Anderson, Missouri municipal water system shall be subject to security deposits and reconnection charges, all subject to change by the Board of Aldermen, as follows:
  - 1. Security Deposit And Late Payments.
    - a. Security Deposit. All water users requesting water service at any water meter location for the first time (i.e., moved from out of town, built a new house, etc.) shall make a security deposit of eighty dollars (\$80.00) before the water service shall be turned on. For those water users who moved to a new water meter location within the City of Anderson, Missouri, and who have already paid the deposit for the old location, and such deposit has not been refunded by the City of Anderson, Missouri, or used to pay a delinquent account owed by the water user to the City of Anderson, Missouri, a connection fee of twenty dollars (\$20.00) will be charged, and the balance of any outstanding water bill shall be paid in full before the water will be turned on.
    - b. Use Of Security Deposit. If water service is disconnected as provided for in this Chapter for non-payment of a water bill, the City of Anderson, Missouri, shall apply all of that portion of the security deposit to the delinquent amount owed by the water user to the City up to and including the entire amount of the deposit, if necessary. If the water deposit is not sufficient to pay the entire delinquent water user's amount, the water user shall remain liable for all of the remaining unpaid account.

- c. Late Payments. When a water user is late in making payment for water usage and the water service is disconnected due to non-payment, the water user will be required to pay a reconnection fee of twenty dollars (\$20.00), and pay the balance of any outstanding bill in full before the water service is reconnected and the water turned on.
- d. Security Deposit Refunds. Security deposits will be refunded under the following circumstances, but only after the final water bill has been paid in full:
  - (1) The water user has moved outside of the City limits of the City of Anderson, Missouri, and has discontinued any residence within the City limits of the City of Anderson, Missouri.
  - (2) Death of the water user in which case the refund shall be made as follows:
    - (a) To the surviving spouse of the water user.
    - (b) If there is no surviving spouse, and if the water user has a probate estate, then to the personal representative of the estate of the deceased upon presentation of certified Letters of Appointment.
    - (c) If there is no surviving spouse, or if there is no probate estate of the water user, then to the heirs at law of the deceased water user as determined under the provisions of Section 474.010, RSMo.
- e. When Reconnections To Be Made. Water service which has been disconnected for non-payment will be reconnected only during regular City of Anderson, Missouri, office hours and on regular days of operation of the City of Anderson, Missouri. No reconnections will be made after hours or on weekends or holidays.
- f. Accounts In Default. City reserves the right to place a lien against property in the amount of any past due balances, including accrued interest.

#### **Section 705.110. Discontinuance Of Water Service.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. In the event that water service is discontinued for any reason other than the temporary vacancy of the property or in the event that it is discontinued and another source of water supply is used for the property, then reconnection shall be made only in the event that the minimum bill for the period of disconnection shall be paid by the water user or owner of the property. In addition, all previous unpaid bills, plus nine percent (9%) per annum interest on the unpaid balance, shall be paid before reconnection shall be allowed for such water user or property. The City of Anderson may place a lien against the property or intercept tax refunds in order to collect any monies owed.
  - 1. In the event that an applicant for water services has purchased or otherwise acquired the property and holds title thereto and the previous land owner had

discontinued water service other than because of the temporary vacancy thereof, said applicant shall not be required to pay the above reconnection charges as a result of the conduct or actions of the previous land owner but shall be required to pay only a connection charge of twenty dollars (\$20.00) to the systems of the City.

2. Except in the case of failure of water user to pay the bill owed the City for water service, as set forth in these rules and regulations, the owner will not discontinue the service of any water user for violation of any rule or regulation of the owner, without written notice of at least two (2) days, mailed to each customer at his/her address as shown upon the City's records, or personally.
  - a. For willful or indifferent waste of water due to any cause.
  - b. For failure to protect from injury or damage the meter or connections or for failure to protect and maintain the service pipe or fixtures on the property of the water user (or the property occupied by the water user) in a condition satisfactory to the City.
  - c. For molesting or tampering by the water user or others, with the knowledge of the water user, with any meter, connections, service pipe, curb cock, seal, valve or any other appliance of the City's controlling or regulating the water user's water supply.
  - d. For failure to provide the City's employees free and reasonable access to the property supplied or for obstructing the way of ingress to the meter or other appliances controlling or regulating the water user's water supply.
  - e. For non-payment of any account for water supplied, for water service, or for meter or service maintenance, or for any other fee or charge accruing under these rules and regulations, the rate schedule of the City.
  - f. In case of vacancy of the premises.
  - g. For violation of any rules and regulations of the City.
  - h. For any practice or act prohibited by the Missouri Division of Health.
  - i. For failure to allow any City employee, officer, agent or representative the right to inspect the water user's premises for any purpose set forth in these rules and regulations.
3. The discontinuance of the supply of water to a property for any reason shall not prevent the City from pursuing any lawful remedy by action of law or otherwise for the collection of monies due from the water user or property owner.
4. Water will not be turned on to any property unless there is at least one (1) adult person therein at such times to see that all water outlets in the premises are closed to prevent damage by escaping water.

**Section 705.120. Agreements With Governmental And Public Bodies.****[Ord. No. 071817B § 1, 7-18-2017]**

The City may make specific water service contracts with the United States of America and its agencies, the State of Missouri and its agencies, school districts and municipal corporations and all other political subdivisions of the State of Missouri and of the United States of America differing from stipulations set out in the rate schedule and rules and regulations. Such contract must receive written approval by the State Director before being placed in effect.

**Section 705.130. Future Connections.****[Ord. No. 071817B § 1, 7-18-2017]**

In making a future connection to an applicant for water service after the adoption and effective date of this Section, the City shall charge a fee at least equal to the cost to the City of said connection and such fee may be adjusted, taking into consideration the average cost for the entire system to each water user, at the discretion of the City, but said fee shall in no event be less than one hundred fifty dollars (\$150.00).

**Section 705.140. Main Extensions.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. Extensions of water mains and lines shall be made by the City upon written application on a form approved by the City. If said application is approved, the main or line shall be extended provided that:
1. Applicant pays all construction, engineering and legal expense of such extension. Said payment shall be made in advance to the City or at the discretion of the City may be placed in a special escrow account. If the cost and expense of such construction is not ascertainable, the cost thereof shall be estimated and said amount shall be paid to the City or put in a special escrow account and applicant shall agree to pay any additional costs incurred for such extension.
  2. Before granting to an applicant the right to make such extension or before entering into an agreement therefore, the City shall first determine that the extension will not materially affect in an adverse manner the service rendered to any existing customers of the City. In the event the City determines, based upon information furnished by its employees and consultant, that such extension would have a material adverse affect upon existing water users of the City, then the City shall not permit such extension.
  3. In the event the applicant desires to perform the construction, the applicant shall pay all engineering, legal and administrative costs incurred by the City incident to the approval of the plans and specifications for construction of the improvements, the perfecting of all rights-of-way and other costs incident to the construction. The construction and materials shall be inspected by a qualified inspector furnished by the City. The cost of this inspector shall be borne by the applicant. Upon

satisfactory completion and testing, the improvements shall be dedicated free and clear of all encumbrances to the City.

4. All plans and specifications for main extensions or improvements will be approved by the City and the appropriate agency of the State of Missouri.

### **Section 705.150. Rental And Multiple-Unit Dwellings.**

#### **[Ord. No. 071817B § 1, 7-18-2017]**

- A. Rental dwellings shall be defined as any building providing complete housekeeping facilities for one (1) family.
- B. Multiple-unit dwellings shall be defined as a dwelling unit housing more than one (1) family and shall include duplexes, triplexes, fourplexes, apartments and all similar structures and residences.
- C. Security Deposit And Late Payments.
  1. Security Deposit. All water users requesting water service at any water meter location for the first time (i.e., moved from out of town, built a new house, etc.) shall make a security deposit of eighty dollars (\$80.00) before the water service shall be turned on. For those water users who moved to a new water meter location within the City of Anderson, Missouri, and who have already paid the deposit for the old location, and such deposit has not been refunded by the City of Anderson, Missouri, or used to pay a delinquent account owed by the water user to the City of Anderson, Missouri, a connection fee of eighty dollars (\$80.00) will be charged, and the balance of any outstanding water bill shall be paid in full before the water will be turned on.
  2. Use Of A Security Deposit. If water service is disconnected as provided for in this Chapter for non-payment of a water bill, the City of Anderson, Missouri, shall apply all of that portion of the security deposit to the delinquent amount owed by the water user to the City up to and including the entire amount of the deposit, if necessary. If the water deposit is not sufficient to pay the entire delinquent water user's amount, the water user shall remain liable for all the remaining unpaid account.
  3. Late Payments. When a user is late in making payment for water usage and the water service is disconnected due to non-payment, the water user will be required to pay a reconnection fee of twenty dollars (\$20.00), and pay the balance of any outstanding bill in full before the water service is reconnected and the water turned on.
  4. Security Deposit Refunds. Security deposits will be refunded under the following circumstances, but only after the final bill has been paid in full:
    - a. The water user has moved outside of the City limits of the City of Anderson, Missouri, and has discontinued any residence within the City limits of the City of Anderson, Missouri.

- b. Death of the water user in which case the refund shall be made as follows:
- (1) To the surviving spouse of the water user.
  - (2) If there is no surviving spouse, and if the water user has a probate estate, then to the personal representative of the estate of the deceased upon presentation of certified Letters of Appointment.
  - (3) If there is no surviving spouse, or if there is no probate estate of the water user, then to the heirs at law of the deceased water user as determined under the provisions of Section 474.010, RSMo.
5. When Reconnections To Be Made. Water service which has been disconnected for non-payment will be reconnected only during regular City of Anderson, Missouri, office hours and on regular days of operation of the City of Anderson, Missouri. No reconnections will be made after hours or on weekends or holidays.
- D. All multiple-unit dwellings constructed receiving water service from the City, and all existing buildings converted to multiple-unit dwellings receiving water service from the City, shall have a separate water meter for each and every unit within the multiple-unit dwelling.

**Section 705.160. Manufactured Home Community.**

[Ord. No. 071817B § 1, 7-18-2017]

In the event that a manufactured home community, also known as a mobile home court, desires service, see Chapter 515 for regulations concerning same.

**Section 705.170. Rate For Tank Sales.**

[Ord. No. 071817B § 1, 7-18-2017]

The Board has the exclusive power to authorize tank sales or sales in bulk of water from such supply heads as it may designate at the rates to be determined by the City. The City may prohibit the sale of water in bulk to any user or non-user when water service is available from the City.

**Section 705.180. Liability Of City.**

[Ord. No. 071817B § 1, 7-18-2017]

The City shall not in any way or under any circumstances be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the pressure, volume or supply of water due to any cause whatsoever. The City will undertake to use reasonable care and diligence in order to prevent and avoid interruptions and fluctuations in the service, but it cannot and does not guarantee that such will not occur. The City shall not be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any interruption of the supply of water caused by the breaking of



machinery or stoppage for necessary repairs and no persons shall be entitled to damages nor have any portion of a payment refunded for an interruption of service.

**Section 705.190. General.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. No person shall turn the water on or off at any street valve, corporation cock, curb cock or other street connection or disconnect or remove any meter without the consent of the City.
1. No employee or agent of the City shall have the right or authority to bind it to any promise, agreement or representation contrary to the letter of intent of these rules and regulations or the laws of the State of Missouri.
  2. Any complaint against the service or employees of the City should be made at the office of the City in writing.
  3. The service pipes, meters and fixtures on the user's property shall at all reasonable hours be accessible to the City for observation or inspection.
  4. In the event the total water supply shall be insufficient to meet all of the needs of the water users or in the event there is a shortage of water, the City may prorate the water available among the various users on such basis as is deemed equitable by the City and may also prescribe a schedule of hours covering the use of water for purposes specified and require adherence thereto or prohibit the use of water for certain specified purposes if at any time the total water supply shall be insufficient to meet all of the needs of all of the water users for domestic livestock, garden and other purposes and the City must first satisfy all the needs of the water users for domestic purposes before supplying any water for livestock purposes and must satisfy the needs of all of the water users for domesticated livestock purposes before supplying water for other purposes.

**Section 705.200. Three-Fourths Inch And Smaller Water Meter In City Charges.**

**[Ord. No. 071817B § 1, 7-18-2017]**

The rate for water service to customers of the waterworks of the City of Anderson, Missouri, with water meters of three-fourths (3/4) inch or smaller where water service is provided within the corporate boundaries of the City of Anderson, Missouri, shall be as stated in Section 705.210.

**Section 705.210. Three Fourths Inch And Smaller Water Meter Out Of City Charges.**

**[Ord. No. 071817B § 1, 7-18-2017]**

The rate for water services to customers of the waterworks of the City of Anderson, Missouri, with water meters of three-fourths (3/4) inch or smaller where water service is provided

outside of the corporate boundaries of the City of Anderson, Missouri, shall be a reasonable rate as determined by the Board of Aldermen.

**Section 705.220. Larger Than Three-Fourths Inch Water Meter In City Charges.**

**[Ord. No. 071817B § 1, 7-18-2017]**

The rate for water service to customers of the waterworks of the City of Anderson, Missouri, with water meters larger than three-fourths (3/4) inch where water service is provided within the corporate boundaries of the City of Anderson, Missouri, shall be a reasonable rate as determined by the Board of Aldermen.

**Section 705.230. Larger Than Three-Fourths Inch Water Meter Out Of City Charges.**

**[Ord. No. 071817B § 1, 7-18-2017]**

The rate for water service to customers of the waterworks of the City of Anderson, Missouri, with water meters larger than three-fourths (3/4) inch where water service is provided outside of the corporate boundaries of the City of Anderson, Missouri, shall be a reasonable rate as determined by the Board of Aldermen.

**Section 705.240. Connection Fees.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. Water users connected to the City of Anderson, Missouri, waterworks do not have to pay a standard connection fee for the service being received by the user.
- B. The City may charge a reasonable fee for additionally laborious line installation. In determining actual costs incurred by the City of Anderson, Missouri, actual costs shall, include, but not limited to, the following:
  1. Boring;
  2. Trenching;
  3. City to be owner of certain materials.
    - a. All materials including tapping sleeve, copper tubing and all other necessary fittings.
    - b. The City will install a three-quarter (3/4) inch water meter for residential use unless otherwise requested will charge a reasonable fee for the meter to be set, and the City shall be the absolute owner of that meter.
    - c. All requests by water users for a meter larger than three-quarter (3/4) inch must receive approval from the Board of Aldermen, and if approved, the City will install the meter, charge a reasonable rate, and shall be the absolute owner of the meter.
  4. All Labor Costs.

- C. If a water user shall construct a meter vault at the water users' expense for the purpose of housing multiple meters to serve multiple apartments or other building units the water user shall not be charged for the connection to the water main, but the water user shall be charged for each connection made to the extension to a water meter, plus the actual cost of installation as stated above. A "connection" is defined as the physical joining of a section of water piping, tubing or a water meter to the City owned and maintained water main or water main extension.
- D. If the water user shall construct water meter wells and water main extensions at the expense of the water user, and the City of Anderson has formally accepted the water meter wells, water main extension and infrastructure, and the building will be occupied by a tenant, then the tenant will be charged for a water line connection when a water meter is installed with the charges to be made pursuant to Subsection (A).

**Section 705.250. (Reserved)**

**ARTICLE II  
Lead Ban**

**Section 705.260. Lead Ban — General Policy.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. Purpose. The purpose of this policy is as follows:
  - 1. To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system of the City of Anderson, Missouri;
  - 2. To protect City residents from lead contamination in the City's public drinking water system and in private plumbing systems.

**Section 705.270. Application.**

**[Ord. No. 071817B § 1, 7-18-2017]**

The lead ban, as provided for herein, shall apply to all premises served by the water system of the City of Anderson, Missouri.

**Section 705.280. Policy.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. The provisions of this lead ban will be reasonably interpreted by the water purveyor. It is the intent of the City of Anderson, Missouri, to ban the use of lead-based materials in the construction or modification of the drinking water system or private plumbing connected to the drinking water system of the City of Anderson, Missouri. The cooperation of all consumers is required to implement the lead ban.

- B. If, in the judgment of the City of Anderson or its authorized representative, lead-based materials have been used in new construction or modification after January 1, 1989, due notice shall be given to the consumer.
- C. The consumer shall immediately comply by having the lead-based materials removed from the plumbing system and replaced with lead-free materials.
- D. If the lead-based materials are not removed from the plumbing system, the City of Anderson shall have the right to discontinue water service to the premises.

**Section 705.290. Definitions.****[Ord. No. 071817B § 1, 7-18-2017]**

The following definitions shall apply in the interpretation and enforcement of the lead ban:

**CUSTOMER** — Any person who receives water from a public water system, except those persons receiving water for resale.

**LEAD FREE** —

1. When used with respect to solder and flux, refers to solders and flux containing not more than zero point two percent (0.2%) lead;
2. When used with respect to pipes and pipe fittings, refers to pipes and pipe fittings containing not more than eight percent (8%) lead.

**LEAD-BASED MATERIALS** — Any material containing lead in excess of the quantities specified in the definition of "lead free" above.

**PUBLIC WATER SYSTEM** — A system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days per calendar year. Such system includes any collection, treatment, storage or distribution facilities used in connection with such system.

**WATER PURVEYOR** — The owner, operator or individual in responsible charge of a public water system and for the purposes of this Code shall mean the City of Anderson, Missouri.

**Section 705.300. Lead Banned From Drinking Water Plumbing.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. Only lead-free materials, as determined by the department by rule, shall be used in construction and repair of any public water system and on plumbing in any building in this State which is connected to any public water system; provided, however, that lead may be used to repair lead joints connecting cast iron pipes which were in use prior to August 28, 1989.
- B. If a premises is found to be in violation of Subsection (A) above, water service shall be disconnected until such time that the drinking water plumbing is lead free.

ARTICLE III  
**Cross-Connection Control**

**Section 705.310. Cross-Connection Control — General Policy.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. Purpose. The purpose of this policy is:
1. To protect the public potable water supply from contamination or pollution by containing within the consumer's internal distribution system or private water system contaminants or pollutants which could backflow through the service connection into the public potable water supply system.
  2. To promote the elimination, containment, isolation or control of existing cross-connections, actual or potential, between the public or consumer's potable water systems and non-potable water systems, plumbing fixtures and industrial process systems.
  3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contaminating pollution of all potable water systems.
- B. Application. This Article shall apply to all premises served by the public potable water system of the City of Anderson, Missouri.
- C. Policy. This Article will be reasonably interrupted by the water purveyor. It is the water purveyor's intent to recognize the varying degree of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.
1. The water purveyor shall be primarily responsible for the protection of the public potable water distribution system from contamination or pollution due to backflow or contaminants or pollutants through the water service connection. The cooperation of all consumers is required to implement and maintain the program to control cross-connections. The water purveyor and consumers are jointly responsible for preventing contamination of the water system within the consumer's premises.
  2. If, in the judgment of the water purveyor or his/her authorized representative, cross-connection protection is required through either piping modification or installation of an approved backflow prevention device, due notice shall be given to the consumer. The consumer shall immediately comply by providing the required protection at his/her own expense; and failure, refusal or inability on the part of the consumer to provide such protection shall constitute grounds for discontinuing water service to the premises until such protection has been provided.

**Section 705.320. Definitions.****[Ord. No. 071817B § 1, 7-18-2017]**

The following definitions shall apply in the interpretation and enforcement of this Article:

**AIR-GAP SEPARATION** — The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the overflow level rim of the receptacle and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel, but in no case less than one (1) inch.

**AUXILIARY WATER SUPPLY** — Any water source or system, other than the public water supply, that may be available in the building or premises.

**BACKFLOW** — The flow other than the intended direction of flow or any foreign liquids, gases or substances into the distribution system of a public water supply.

**BACKFLOW PREVENTION DEVICE** — Any device, method or type of construction intended to prevent backflow into a potable water system.

**CONTAINMENT** — Protection of the public water supply by installing a cross-connection control device or air-gap separation on the main service line to a facility.

**CONTAMINATION** — An impairment of the quality of the water by sewage, process fluids or other wastes to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

**CROSS-CONNECTION** — Any physical link between a potable water supply and any other substance, fluid or source which makes possible contamination of potable water supply due to the reversal of flow of the water in the piping or distribution system.

**CUSTOMER** — Any person who receives water from a public water system, except those persons receiving water for resale.

**HAZARD-DEGREE OF** — An evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

1. **HAZARD — HEALTH** — Any condition, device or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.
2. **HAZARD — PLUMBING** — A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention device.
3. **HAZARD — POLLUTIONAL** — An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances but would not be dangerous to health.
4. **HAZARD — SYSTEM** — An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or

of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

**INDUSTRIAL PROCESS SYSTEM** — Any system containing fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional or plumbing hazard if introduced into a potable water supply.

**ISOLATION** — Protection of a facility service line by installing a cross-connection control device or air-gap separation on an individual fixture, appurtenance or system.

**POLLUTION** — Such contamination or other alteration of the physical, chemical or biological properties of any waters of the State, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the State as will or is reasonably certain to create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, industrial, agricultural, recreational, or other legitimate beneficial uses, or to wild animals, birds, fish or other aquatic life.

**PUBLIC POTABLE WATER SYSTEM** — Any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

**SERVICE CONNECTION** — The terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

**WATER PURVEYOR** — The owner, operator or individual in responsible charge of a public water system.

**Section 705.330. Cross-Connections Prohibited.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public potable or consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the water purveyor and as required by the laws and regulations of the Missouri Department of Natural Resources.
- B. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public potable or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved by the water purveyor and the Missouri Department of Natural Resources.
- C. No water service connection shall be installed or maintained to any premises in which the plumbing system, facilities and fixtures have not been constructed and installed using acceptable plumbing practices considered by the water purveyor as necessary for the protection of health and safety.

**Section 705.340. Survey And Investigations.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. The consumer's premises shall be open at all reasonable times to the water purveyor or his/her authorized representative for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.
- B. On request by the water purveyor or his/her authorized representative the consumer shall furnish information on water use practices within his/her premises.
- C. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his/her premises to determine whether there are actual or potential cross-connections to his/her water system through which contaminants or pollutants could backflow into his/her or the public potable water system.

**Section 705.350. Type Of Protection Required.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. The type of protection required by this Section shall depend on the degree of hazard which exists, as follows:
  - 1. An approved air-gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard.
  - 2. An approved air-gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public potable water system may be contaminated with a substance that could cause a system or health hazard.
  - 3. An approved air-gap separation or an approved reduced pressure principle backflow prevention device or an approved double-check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollution hazard not dangerous to health.

**Section 705.360. Where Protection Is Required.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. An approved backflow prevention device shall be installed on each service line to a consumer's water system servicing premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, actual or potential hazards to the public potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard.
- B. An approved air-gap separation or reduced pressure principle backflow prevention device shall be installed at the service connection or within any premises where, in the judgment



of the water purveyor or the Missouri Department of Natural Resources, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on the premises would present an immediate and dangerous hazard to health should a cross-connection occur, even though such cross-connection may not exist at the time the backflow prevention device is required to be installed. This includes, but is not limited to, the following situations:

1. Premises having an auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the water purveyor and the Missouri Department of Natural Resources.
  2. Premises having internal cross-connections that are not correctable or intricate plumbing arrangements which make it impractical to ascertain whether or not cross-connection exists.
  3. Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross-connections do not exist.
  4. Premises having a repeated history of cross-connections being established or reestablished.
  5. Premises which, due to the nature of the enterprise therein, are subject to recurring modification or expansion.
  6. Premises on which any substance is handled under pressure so as to permit entry into the public water supply or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.
  7. Premises where materials of a toxic or hazardous nature are handled such that if backsiphonage or backpressure should occur, a serious health hazard may result.
- C. The following types of facilities fall into one (1) or more of the categories of premises where an approved air-gap separation or reduced pressure principle backflow prevention device is required by the water purveyor and the Missouri Department of Natural Resources to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the water purveyor and the Missouri Department of Natural Resources:
1. Aircraft and missile plants.
  2. Automotive plants.
  3. Auxiliary water systems.
  4. Beverage bottling plants.
  5. Breweries.
  6. Building complexes.

7. Canneries, packing houses and reduction plants.
8. Car washing facilities.
9. Chemical manufacturing, processing, compounding or treatment plants.
10. Chemically contaminated water systems.
11. Civil works.
12. Dairies and cold storage plants.
13. Film laboratories.
14. Fire protection systems.
15. Hazardous waste storage and disposal sites.
16. Hospitals, mortuaries and clinics.
17. Irrigation and sprinkler systems.
18. Laundries and dye works.
19. Metal manufacturing, cleaning, processing and fabricating plants.
20. Oil and gas production, storage or transmission properties.
21. Paper and paper products plants.
22. Plating plants.
23. Power plants.
24. Printing and publishing facilities.
25. Radioactive material processing plants or nuclear reactors.
26. Research and analytical laboratories.
27. Rubber plants — natural and synthetic.
28. Sand and grave plants.
29. Schools and colleges.
30. Sewage and storm drainage facilities — pumping stations.
31. Waterfront facilities and industries.

**Section 705.370. Backflow Prevention Devices.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. Any backflow prevention device required by these Sections shall be of a model or construction approved by the water purveyor and the Missouri Department of Natural Resources.
1. Air-gap separation to be approved shall be at least twice the diameter of the supply pipe measured vertically above the top rim of the vessel, but in no case less than one (1) inch.
  2. A double-check valve assembly or a reduced pressure principle backflow prevention device shall be approved by the water purveyor and shall appear on the current "list of approved backflow prevention devices" established by the Missouri Department of Natural Resources.
- B. Existing backflow prevention devices approved by the water purveyor at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of these Sections so long as the water purveyor is assured that they will satisfactorily protect the water system. Whenever the existing device is moved from its present location, or requires more than minimum maintenance, or when the water purveyor finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of these Sections.

**Section 705.380. Installation.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. Backflow prevention devices required by these Sections shall be installed at a location and in a manner approved by the water purveyor and shall be installed at the expense of the water consumer.
- B. Backflow prevention devices installed on the service line to the consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.
- C. Backflow prevention devices shall be located so as to be readily accessible for maintenance and testing, protected from freezing, and where no part of the device will be submerged or subject to flooding by any fluid.

**Section 705.390. Inspection And Maintenance.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. It shall be the duty of the consumer at any premises on which backflow prevention devices required by these Sections are installed to have inspections, tests and overhauls made in accordance with the following schedule or more often where inspections indicate a need.

1. Air-gap separations shall be inspected at the time of installation and at least every twelve (12) months thereafter.
  2. Double-check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every thirty (30) months.
  3. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five (5) years.
- B. Inspections, tests and overhauls of backflow prevention devices shall be made at the expense of the water consumer and shall be performed by the water purveyor or a State of Missouri Certified Backflow Prevention Device Tester.
- C. Whenever backflow prevention devices required by these Sections are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.
- D. The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections and repairs. Records of inspections, tests, repairs and overhauls shall be made available to the water purveyor upon request.
- E. Backflow prevention devices shall not be by-passed, made inoperative, removed or otherwise made ineffective without specific authorization by the water purveyor.

**Section 705.400. Violations.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. The water purveyor shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by these Sections is not installed, tested and maintained in a manner acceptable to the water purveyor, or if it is found that the backflow prevention device has been removed or by-passed, or if an unprotected cross-connection exists on the premises.
- B. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this Section to the satisfaction of the water purveyor.
- C. Any person, firm, partnership, corporation or others convicted of violating any provisions of these Sections shall also be deemed guilty of committing a misdemeanor and shall be subject to punishment as provided in Section 700.080 of this Code.

ARTICLE IV  
**Water Conservation Plan**

**Section 705.410. Title And Definitions.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. The following shall be known as the "Water Conservation Plan" of the City of Anderson, Missouri.
- B. The following terms, as used in this Section, are defined as follows:

BOARD — The Board of Aldermen of the City of Anderson, Missouri.

CONSUMERS AND USERS — Persons receiving water service from the City of Anderson, Missouri.

DIRECTOR OF PUBLIC WORKS — The Director of Public Works of the City of Anderson, Missouri, or his/her designee.

EMERGENCY — A sudden or unexpected natural or manmade event restricting the ability of the City of Anderson to supply water to customers.

LARGE COMMERCIAL AND INDUSTRIAL CUSTOMERS — Those customers whose service utilizes a two (2) inch or larger water meter.

LONG-TERM — A period of seven (7) or more consecutive days.

PERSONS — As defined in Section 100.010 of the Municipal Code of Anderson, Missouri, and includes governmental bodies.

PLAN — The contents of this Article.

SHORT-TERM — A period of fewer than seven (7) consecutive days.

STORED WATER VOLUME — The quantity of water contained in the City of Anderson water storage towers and stored at the water treatment plant.

WATER CONSUMPTION — The projected daily unrestricted use of water provided by the City of Anderson to customers or users.

**Section 705.420. Source Conservation.****[Ord. No. 071817B § 1, 7-18-2017]****A. Stage One.**

1. Stage One shall be in force and effect when:
  - a. Stored water volume is equal to or less than fifty percent (50%) of total storage capacity.
  - b. An emergency exists or occurs and the Director of Public Works determines and declares the existence of stored water volume equal to or less than fifty

percent (50%) of total storage capacity of the City. Stage One is intended to reduce water consumption by ten percent (10%) as follows:

- (1) Users and customers shall comply with the following restrictions when using water supplied by the City of Anderson during a Stage One emergency:
  - (a) No washing of sidewalks, driveways, parking areas, tennis courts, patios or other paved areas; no pumping of fountain recirculating water.
  - (b) No filling or refilling of swimming pools.
  - (c) No non-commercial washing of motor vehicles, trailers or boats except from a bucket.
  - (d) No use of water for dust control.
  - (e) No flushing of mains by the City of Anderson personnel except to alleviate individual water quality problems.
  - (f) No use of water from a fire hydrant except for fighting fires, for human consumption or for necessary watering of animals.
  - (g) No watering of any lawn, garden, landscaped area, tree, shrub or other plant except from a hand-held hose or container or drip irrigation system.
  - (h) No eating establishment shall serve water otherwise than upon specific request.
  - (i) No commercial, industrial or public authority user (including the City of Anderson) shall consume more than ninety percent (90%) of the usage during the corresponding billing period in the year prior to implementation of Stages One, Two or Three of the plan.
2. When the Director of Public Works has determined and declared that the stored water volume equals at least fifty-five percent (55%) of capacity, or that the emergency causing implementation of Stage One no longer exists, Stage One shall be terminated.

B. Stage Two.

1. Stage Two shall become effective when:
  - a. Stored water volume is equal to or less than forty percent (40%) of capacity.
  - b. An emergency occurs or continues.
  - c. Stage One has not accomplished a ten percent (10%) reduction in water consumption as determined by the records of pumpage at the City of Anderson, Missouri, Water Treatment Plant and the Director of Public Works determines and declares that the existence of (a), (b) or (c) above. Stage Two

is intended to accomplish an overall systemwide reduction in water consumption of twenty percent (20%) as follows:

- (1) Restrictions of Stage One shall remain in effect except that commercial, industrial or public authority users shall consume no more than eighty percent (80%) of the usage during the corresponding billing period in the year prior to implementation of Stages One, Two or Three of the plan, and
2. When the Director of Public Works determines and declares that the total volume of water stored by the City of Anderson waterworks system has returned to forty-five percent (45%) of capacity, or that the circumstances requiring implementation of Stage Two have sufficiently moderated or been eliminated, Stage Two may, at the discretion of the Director of Public Works, revert to Stage One or be terminated.
- C. Stage Three.
1. Stage Three shall become effective when:
    - a. Stored water volume is equal to or less than thirty percent (30%) of capacity.
    - b. An emergency occurs or continues.
    - c. Stage Two has failed to accomplish a twenty percent (20%) reduction in water consumption as provided herein and the Director of Public Works determines and declares the existence of (a), (b) and (c) of Stage Three. Stage Three is intended to accomplish a thirty percent (30%) reduction in water consumption as follows.
  2. As respects water supplied by the City of Anderson, it shall be unlawful for customers and users to engage in any of the following:
    - a. Washing of sidewalks, driveways, parking areas, tennis courts, patios or other paved areas; pumping of fountain recirculating water.
    - b. Filling or refilling of swimming pools.
    - c. Using water for recreational purposes, such as water slides or yard play.
    - d. Non-commercial washing of motor vehicles, trailers or boats, except from a bucket.
    - e. Use of water for dust control.
    - f. Flushing of mains by City of Anderson personnel except to alleviate individual water quality problems.
    - g. Using water from fire hydrants except for fighting fires, for human consumption or for necessary watering of animals.
    - h. Watering of any lawns, gardens, landscaped area, shrub or other plant except from a hand-held hose or container or drip irrigation system.

- i. Serving of water in eating establishments otherwise than upon specific request.
  - j. Using water supplied by the City of Anderson in any motor vehicle washing business; provided, however, that the use of recycled water in conformity with a plan submitted to and approved by the City of Anderson shall not be deemed a violation of this Section.
3. Large User Conservation Plans. All commercial and industrial users shall adhere to the individual plan for their operation as filed with and approved by the Director of Public Works.
  4. Commercial, industrial or public authority users who are not required to file individual conservation plans pursuant to this Article shall consume no more than seventy percent (70%) of the usage during the corresponding billing period in the year prior to implementation of Stages One, Two or Three of the plan.
  5. When the Director of Public Works determines and declares that the total volume of water stored in the City of Anderson waterworks system has returned to thirty-five percent (35%) of capacity or that the circumstances (other than water quality) requiring implementation of Stage Three have sufficiently moderated or been eliminated, he/she shall direct that Stage Three revert to Stage Two or Stage One, or be terminated.

### **Section 705.430. Peak Day Conservation.**

**[Ord. No. 071817B § 1, 7-18-2017]**

#### **A. Peak Day One (Voluntary).**

1. Peak Day One shall become effective when the Director of Public Works of the City of Anderson determines and declares that:
  - a. The daily treatment capacity of the City of Anderson water processing facilities may be exceeded by the daily usage.
  - b. An emergency exists which limits or threatens to limit the amount of water that the City of Anderson is able to supply to customers. Peak Day One shall be short-term seeking to accomplish a twenty-five percent (25%) reduction in daily water consumption.
2. Reduction shall be measured against water consumption as herein defined. The Director of Public Works shall consider daily production of the water treatment plant, stored water volume, integrity of the transmission and distribution piping systems and other pertinent factors in determining the daily treatment capacity.
3. Whenever the Director of Public Works has determined and declared that it is necessary to implement Peak Day One, customers and users shall be encouraged to voluntarily restrict their usage of water supplied by the City of Anderson as follows:



- a. No washing of sidewalks, driveways, parking areas, tennis courts, patios or other paved area; no pumping of fountains recirculating water.
  - b. No filling or refilling of swimming pools.
  - c. No non-commercial washing of motor vehicles, trailers or boats, except from a bucket.
  - d. No use of water for dust control.
  - e. No flushing of mains by the City of Anderson personnel except to alleviate individual water quality problems.
  - f. No use of water from fire hydrants except for fighting fires, for human consumption or for necessary watering of animals.
  - g. No watering of any lawn, garden, landscaped area, tree, shrub or other plant except from a hand-held hose or container or drip irrigation system.
  - h. No eating establishment shall serve water otherwise than upon specific request.
  - i. Commercial, industrial or public authority users shall reduce daily water consumption by twenty-five percent (25%).
4. When the Director of Public Works determines that the circumstances requiring the measures of Peak Day One no longer exist, he/she shall direct that Peak Day One be terminated.
- B. Peak Day Two (Mandatory).
1. When the Director of Public Works determines and declares that the measures of Subsection (A) (Peak Day One) of this Section are inadequate to provide necessary water to customers and users, he/she shall declare that the measures of Peak Day Two shall become effective. Peak Day Two is intended to accomplish a fifty percent (50%) reduction in daily water consumption for the short-term period. Reduction shall be measured against water consumption as herein defined.
    - a. To the extent relevant, the Director of Public Works shall consider the mechanical condition of the City of Anderson Water Treatment Plant, integrity of the transmission and distribution piping system, the nature and extent of the emergency (if any) and other pertinent factors in arriving at a decision to require "Peak Day Two" conservation.
    - b. Whenever the Director of Public Works has determined that it is necessary to implement Peak Day Two, it shall be unlawful for customers and users to engage in any of the following activities respecting water supplied by the City of Anderson:
      - (1) Washing of sidewalks, driveways, parking areas, tennis courts, patios or other paved areas; pumping of fountain recirculating water.

- (2) Filling or refilling of swimming pools.
  - (3) Using water for recreational purposes, such as water slides or yard play.
  - (4) Non-commercial washing of motor vehicles, trailers or boats, except from a bucket.
  - (5) Use of water for dust control.
  - (6) Flushing of mains by City of Anderson personnel except to alleviate individual water quality problems.
  - (7) Using water from fire hydrants except for fighting fires, for human consumption or for necessary watering of animals.
  - (8) Watering of any lawns, gardens, landscaped area, shrub or other plant except from a hand-held hose or container or drip irrigation system.
  - (9) Serving of water in eating establishments otherwise than upon specific request.
  - (10) Using water supplied by the City of Anderson in any motor vehicle washing business; provided, however, that the use of recycled water in conformity with a plan submitted to and approved by the City of Anderson shall not be deemed a violation of this Section.
- c. In addition to mandatory restriction in the previous Section, commercial, industrial or public authority users who are not required to file individual conservation plans shall reduce daily short-term consumption by fifty percent (50%).
  - d. Large User Conservation Plans. All large commercial and industrial users shall adhere to the plan as filed and approved by the Director of Public Works as provided in this Article.
2. When the Director of Public Works determines that the daily demand no longer threatens to exceed water treatment capacity or that an actual or imminent shortage of water requiring implementation of Peak Day Two has otherwise been sufficiently moderated or eliminated, he/she shall direct that Peak Day Two revert to Peak Day One or be terminated.

**Section 705.440. Notice.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. All persons shall be conclusively presumed to have notice of the implementation of any stage of the plan as herein set forth and shall be subject to the provisions of the plan upon the filing of a notice of such implementation of any Section hereof with the City Clerk of the City of Anderson, Missouri, and when a copy of such notice is posted at the customer entrance to the City Office of the City of Anderson, Missouri.

- B. Reasonable effort shall be made to utilize news media and other means to publicize the implementation of various stages of the plan. Notice shall be posted and filed at least twenty-four (24) hours prior to the time of implementation of Stages One, Two and Three and at least two (2) hours prior to the time for implementation of Peak Day One and Peak Day Two.

**Section 705.450. Large Commercial And Industrial Conservation Plans.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. All large commercial and industrial customers shall submit for approval by the City of Anderson within thirty (30) days following the enactment of this Article a water conservation plan setting forth, in reasonable detail, the manner in which such customer proposes to comply with the terms of this Article. Such plan shall be examined by the Public Works Committee of the City of Anderson and then submitted to the Board of Aldermen of the City of Anderson for approval and approval will be granted if it appears that the plan is reasonably calculated to achieve reduced water consumption as herein provided. Further, any customer who shall become subject to the provisions of this Section of the Article after the effective date of this Article shall, within thirty (30) days, file such plan with the City of Anderson pursuant to this Article. Meters used solely for fire protection purposes are not considered subject to this requirement.
- B. Each individual conservation plan shall set forth the means and manner which the user intends to effect compliance with each Section of this Article.

**Section 705.460. Compliance.**

**[Ord. No. 071817B § 1, 7-18-2017]**

- A. During any stage of the plan in which the "Water Conservation Service Rate" is in effect, customers will be provided (printed on bills) with at least the penalty for usage amount to be allowed in the upcoming billing period. This penalty for usage amount will be based on the amount of water used during the preceding corresponding billing period in the year previous to the implementation of Stages One, Two and Three of the plan (or based on the applicable average or estimate in the case of new customers, as set forth herein).
- B. Compliance With The Plan. All persons who receive water service from the City of Anderson shall be entitled to receive such water service only upon compliance with the provisions of this Article. Failure to comply with the provisions of this Article shall result in termination of service in the same manner as non-payment of charges. If terminated, service will not be restored until all conservation measures have been removed, subject to the relief provided herein.

**Section 705.470. Penalties.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. Any person who shall violate the provisions of this Article, except for the voluntary portions hereof, or any large commercial or industrial user who fails to comply with the requirements imposed upon large commercial and industrial users, or who fail to adhere to the water conservation plan submitted by that user shall be guilty of a misdemeanor and punishable as provided in Section 700.080 of the Municipal Code of the City of Anderson, Missouri.
- B. Any customer who applies for service during any time the restrictions on water use contained herein are in effect will be advised of that fact by the City of Anderson and will be provided the usage for such premises during the corresponding period for the previous year in which such restrictions were not in effect.
- C. A new large commercial or industrial customer shall be allowed a period of thirty (30) days from the date of service hookup to file an acceptable individual conservation plan. Any new large commercial or industrial customer who fails to file such a plan will, at the discretion of the Board of Aldermen of the City of Anderson, be subject to termination of service. Any person desiring to appeal from the termination of service shall be entitled to a hearing before the Board of Aldermen of the City of Anderson, Missouri.

**Section 705.480. Exceptions And Adjustments.****[Ord. No. 071817B § 1, 7-18-2017]**

- A. Exceptions to the application of use restrictions and relief from the "Conservation Water Service Rate" may be requested in writing, setting forth in reasonable detail the factual basis for such request. Such request shall be signed by the customer making it, delivered to the Director of Public Works and shall include a request for hearing, if one is desired.
- B. If a hearing is granted, notice of the time and place thereof will be given to the applicant within three (3) business days and the matter determined in its entirety within ten (10) business days following the hearing of the request. If no hearing is requested and none is granted, the Director of Public Works shall proceed to consider the application giving due regard to the following factors; major business or process expansion, increase in family size, nature of business, inequity, hardship and other factors making strict application of the restrictions unjust. Granting of hearing is discretionary with the Director of Public Works.
- C. Any person aggrieved by a decision of the Director of Public Works may appeal the same to the Board of Aldermen of the City of Anderson, Missouri. Appeals from decisions by the Board of Aldermen of the City of Anderson, Missouri, shall be as provided under Chapter 536, RSMo.

## Chapter 710

### WATER AND SEWER SYSTEMS —GENERAL PROVISIONS

**Section 710.010. Eligibility Of User.**

**Section 710.020. Extensions.**

**Section 710.030. Connection By User.**

**Section 710.040. Requirements For  
Extension.**

**Section 710.050. Approval Of Plat.**

**Section 710.060. City To Approve All  
Lines.**

**Section 710.070. Location Of Extensions.**

**Section 710.080. Construction Of  
Extensions.**

**Section 710.090. City To Become Owner.**

**Section 710.100. Inspection Of  
Construction.**

**Section 710.110. Variance.**

**Section 710.115. Separate Connections  
For Each User.**

**Section 710.120. Certain Privileges  
Granted To Public  
Utilities.**

**Section 710.125. Fluoridation.**

**Section 710.130. Fluoridation Records.**

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**Section 710.010. Eligibility Of User.**

**[Ord. No. 071817C § 1, 7-18-2017]**

Any person, firm, partnership, association, corporation or others within the City limits of the City of Anderson, Missouri, desiring to connect with the sewerage treatment or water systems of the City of Anderson, Missouri, not adjacent to or abutting any existing sewerage treatment or water system installations of the City of Anderson, Missouri, shall be connected with said sewerage systems upon compliance with the following provisions of this Code.

**Section 710.020. Extensions.**

**[Ord. No. 071817C § 1, 7-18-2017]**

The City of Anderson, Missouri, will not construct or reimburse any landowner for any sewerage treatment or water system extension.

**Section 710.030. Connection By User.**

**[Ord. No. 071817C § 1, 7-18-2017]**

All persons, firms, partnerships, associations, corporations or others within the City limits of the City of Anderson, Missouri, desiring to connect with the sewerage treatment or water system of the City of Anderson, Missouri, shall construct, at the sole cost of said person, firm, partnership, association, corporation or others, all necessary lines, equipment, installations and appurtenances thereto belonging for the completion of said extension of the sewerage treatment or water system of the City of Anderson, Missouri, upon such plans and specifications as shall be required by all Federal and State agencies and by the City of Anderson, Missouri.

**Section 710.040. Requirements For Extension.****[Ord. No. 071817C § 1, 7-18-2017]**

- A. Before any extension of the sewerage treatment or water systems shall be constructed within the City of Anderson, Missouri, the owner of the property upon which said improvements shall be constructed shall submit to the City of Anderson, Missouri, at City Hall, 103 W. Beaver St., a plat consisting of the following:
1. Names and addresses of the owner and subdivider proposing the construction.
  2. A platting of streets and rights-of-way on and adjoining the site of the proposed construction showing the names and including roadway widths, approximate gradients, types of construction and other pertinent data.
  3. All lot lines adjacent to and abutting the proposed area of construction or subdivision.
  4. Layouts of lots, showing approximate dimensions and numbers.
  5. Easements, existing and proposed, showing locations, widths and purposes.
  6. Location and size of nearest existing water main and sewer outlets.
  7. Location, type and size of all pipelines, equipment and other items to be installed.
  8. Tract boundary lines showing dimensions and reference to known land lines.
  9. Location of existing structures.
  10. The scale (which shall be a scale of fifty (50) feet to one (1) inch), north arrow and date.

**Section 710.050. Approval Of Plat.****[Ord. No. 071817C § 1, 7-18-2017]**

The plat furnished pursuant to the requirements of the foregoing Section shall be submitted to and approved by the Board of Aldermen prior to any construction being undertaken by the landowner or subdivider submitting said plat.

**Section 710.060. City To Approve All Lines.****[Ord. No. 071817C § 1, 7-18-2017]**

The City of Anderson shall determine the size of all sewerage treatment lines and water lines for extensions of existing facilities and shall supervise the connection of all such lines with the existing lines of the City. The determination of the size of lines and supervision of the connections shall be through the water and wastewater superintendent.

**Section 710.070. Location Of Extensions.****[Ord. No. 071817C § 1, 7-18-2017]**

The location of all extensions shall be either in established streets, roadways, easements or rights-of-way or in such streets, roadways, easements or rights-of-way platted and to be dedicated to the City of Anderson, Missouri, pursuant to the Statutes of the State of Missouri and ordinances of the City of Anderson, Missouri. Easements and rights-of-way, shall have a minimum width of fifteen (15) feet and, where located along interior lot lines, one-half (1/2) of the width shall be taken from each lot. Before determining the location of easements or rights-of-way, consideration of the location of other utility services should be considered. For hillside areas, where a cut or fill slope extends beyond the right-of-way, a slope easement should be provided with sufficient width to permit necessary maintenance of the slope. All rights-of-way and easements shall be furnished without cost to the City of Anderson, Missouri.

**Section 710.080. Construction Of Extensions.****[Ord. No. 071817C § 1, 7-18-2017]**

Upon written approval of the plat of the proposed extension by the City of Anderson, Missouri, or its authorized representative, the owner and subdivider shall construct, at the cost of the owner or subdivider, the extensions as shown in and in conformance with the plat furnished to the City of Anderson, Missouri, and upon completion of the construction shall be entitled to connect the extension of the sewerage treatment and water system to the sewerage treatment or water system of the City of Anderson, Missouri.

**Section 710.090. City To Become Owner.****[Ord. No. 071817C § 1, 7-18-2017]**

After acceptance of such extensions by the City of Anderson, Missouri, construction of the extensions and connection to the existing facilities of the City of Anderson, Missouri, all such approved and installed facilities shall become the property of the City of Anderson, Missouri, to be maintained and operated by the City of Anderson, Missouri, in the same manner and pursuant to the same laws, ordinances and regulations pertaining to the operation and maintenance of all other City owned sewerage treatment and water facilities.

**Section 710.100. Inspection Of Construction.****[Ord. No. 071817C § 1, 7-18-2017]**

All facilities for extension of the sewerage treatment or water systems of the City of Anderson, Missouri, shall be inspected during the course of construction by the water and wastewater superintendent of the City of Anderson, Missouri, or his/her designated representative to determine that the construction is in accordance with the plat as approved and with the laws, ordinances, rules and regulations in effect and pertinent to the construction of said extensions.

**Section 710.110. Variance.****[Ord. No. 071817C § 1, 7-18-2017]**

When a landowner or subdivider can show that a provision of this Chapter or the requirements in effect for construction of the extension would cause unnecessary hardship if strictly adhered to, a departure may be made without destroying the intent of such provisions upon an application in writing for each such variance or modification being submitted to the Board of Aldermen of the City of Anderson, Missouri, setting forth in detail the variance or modification requested. Only such variances or modifications shall be allowed as shall not be in conflict with the laws of the State of Missouri, the rules and regulations promulgated by agencies of the State of Missouri and the ordinances of the City of Anderson, Missouri.

**Section 710.115. Separate Connections For Each User.****[Ord. No. 071817C § 1, 7-18-2017]**

The City requires each user of water and/or sewer services provided by the City to install and maintain a separate connection with the City water and sewer mains; customer connections intended to serve one (1) user shall not serve any other user in any way; even if both users are on the same lot or property.

**Section 710.120. Certain Privileges Granted To Public Utilities.****[Ord. No. 071817C § 1, 7-18-2017]**

Pursuant to Missouri Revised Statutes which gives the City authorization to grant access onto landowner's property any person, or any company organized for the purpose of supplying light, heat, power, water, gas or sewage disposal facilities, to set and maintain its poles, piers, abutments, wires and other fixtures, and to excavate for, install, and maintain water mains, sewage disposal lines, and necessary equipment for the operation and maintenance of electric light plants, heating plants, power plants, waterworks plants, gas plants and sewage disposal plants, and to maintain and operate the same along, across or under any of the public roads, streets, alleys, or public places.

**Section 710.125. Fluoridation.****[Ord. No. 071817C § 1, 7-18-2017]**

The water supply system of the City shall introduce into the water supply of the City fluoride in such quantities as are required to provide throughout the full distribution System a fluoride concentration of one (1) part fluoride per million (1,000,000) parts of water.

**Section 710.130. Fluoridation Records.****[Ord. No. 071817C § 1, 7-18-2017]**

The water superintendent of the City or any designated successor shall keep an accurate record of the amount of fluoride-bearing chemical applied to the quantities of water treated



and cause such tests to be made for fluoride as shall be directed by the Missouri Division of Health or any other agency having supervision of municipal water distribution in the State.



## Chapter DL

### DISPOSITION LIST

#### Section DL.010. Disposition of Legislation.

The following is a chronological listing of submitted ordinances of the City of Anderson adopted since the 1974 City Code, indicating for each either its inclusion in the 2016 Code or the reason for its exclusion. [Enabling legislation which is not general and permanent in nature is considered to be non-Code material (NCM).] The Board of Aldermen Minutes of May 17, 2016, which included approval of substantive Code amendments, was the last legislation reviewed for the 2016 Code publication.

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#### Section DL.010. Disposition of Legislation.

Adoption Date	Ord. No.	Subject	Disposition
2-8-1982	45.042	City officials: City Collector amendment	Ch. 115, Art. III
6-30-1982	45.048	City officials: Chief of Police amendment	Ch. 115, Art. IV
3-14-1983	45.050	Zoning amendment	Ch. 405
11-13-1984	45.053	Sewer regulations	Ch. 700
8-16-1986	45.054	Traffic Code: speed limits amendment	Traffic Sch. I
1-26-1987	45.057	Zoning amendment	Ch. 405
5-9-1994	411-94	Zoning amendment	Ch. 405
8-8-1994	711-94	General building provisions: miscellaneous provisions amendment	Ch. 500, Art. V
3-17-2015	031715	Taxation and finance: sales tax and applicability to utilities	Ch. 140, Art. IV
6-29-2015	62915	Annexation	NCM
2-17-2016	21616	General building provisions: miscellaneous provisions amendment	Ch. 500, Art. V
2-17-2016	21616A	Violations and penalties amendment	Ch. 100, Art. III; Ch. 130, Art. I; Ch. 130, Art. III; Ch. 300
4-19-2016	41916	Reestablishing City limits	NCM
5-17-2016	Resolution	Licenses and occupational taxes amendment	Ch. 605

<b>Adoption Date</b>	<b>Ord. No.</b>	<b>Subject</b>	<b>Disposition</b>
5-17-2016	Motion	Mayor and Board of Aldermen: meetings amendment	Ch. 110, Art. II
7-19-2016	71916	Adopting Ordinance	Front of Code
2-21-2017	22117	Offenses	Ch. 210
7-18-2017	071817A	Contract	NCM
7-18-2017	071817B	Water System Rules and Regulations	Ch. 705
7-18-2017	071817C	Water and Sewer Systems – General Provisions	Ch. 710
7-18-2017	Res. 2017-1R	Setting fees for Ch. 705, Water	Note @ Ch. 705