

**WASHINGTON TERRACE CITY
ORDINANCE 18-12**

METER REGULATION

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE,
UTAH, AMENDING CHAPTER 13.08 RELATED TO METER
REGULATIONS; TECHNICAL CHANGES; SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, the City desires to limit changes to water meters that may change its calibrated use and operation for metering water or otherwise interfere with water delivery;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: Repealer. Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. Chapter 13.08, section 13.08.090 is hereby amended to read as follows:

13.08.090 Meter Regulations

1. Meter Tampering. It is unlawful for any person to destroy damage, deface, bypass, modify, render inoperable, or otherwise tamper with any ~~water~~ meter ~~that is in use~~ in the city in any way that changes its calibrated use and operation for metering ~~water~~ a utility or otherwise interfering with ~~water~~ utility delivery in any manner.
2. Meter Box Tampering. It shall be unlawful for any person to destroy, damage, deface, modify, or otherwise tamper with a meter box, cover, or lids that is used for sewer, water, storm water, or other utility.
3. Access. It is the responsibility of the owner/users to keep any water meters box, cover, or lid visible and readily accessible free from debris or cover. The owner/user shall provide access to any meter box to afford a utility agent easy access to read, monitor, or maintain any meter or meter box.
4. Safety and Liability. The owner/user in possession or control of a property where a meter box is located, including any park strip, shall maintain the property in a safe condition. This includes maintaining any city water meter cover or lid so that it is not a hazard. In the event that a meter, meter box, cover, or lid is a hazard, damaged, or otherwise broken, then the owner/user shall contact the City or appropriate utility to report such. Nothing in this section or the municipal code shall be interpreted to waive any governmental immunity afforded to the city and the city shall not be liable for any hazard or damage of any kind created by an owner/user or that may otherwise exist on any property. The owner/user is responsible and liable for any hazard or other risk that may exist on the property of the owner/user.

5. Departmental Authority. The City's Public Works Department shall have power and authority to temporarily discontinue water service to any area, with or without notice, for purposes of making repair, servicing, maintenance, or in case of an emergency.
6. Lateral. The lateral water service line from any meter vault to any structure is the property of the owner/user who is solely responsible to repair, replace, upgrade, and otherwise maintain the same.
7. Emergency Shut Off. Most structure have an emergency main water shut off valve located on an interior wall within the structure where a service line enters the structure. The owner/user should shut off the water flow at this main valve in case of a water leak or an emergency. The owner/user is responsible to pay the costs related to any water leak, any water left running whether intentionally or unintentionally, or in the event of any emergency related to the service lateral or structure piping belonging to the owner/user.
8. Emergency Plumbers. Notwithstanding any other provision of this section, in the case of any leak, damage, accident, or emergency relating to the water system, a certified plumber or other authorized individual may shut off the water supply at the appropriate box in order to stop waste or make necessary repairs. Upon proper repair and any required inspection, said plumber or other authorized individual may restore water service.
9. Penalties. The following penalties apply for violations of this section:
 - a. First Offense. \$50.00 civil fine to be imposed upon the water utility bill.
 - b. Second Offense. \$100.00 civil fine to be imposed upon the water utility bill.
 - c. Subsequent Offenses. \$500.00 civil fine to be imposed upon the water utility bill, and/or a class B misdemeanor with a criminal fine not to exceed the \$1,000 and 180 days in jail.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this ____ day of _____, 2018.

 MARK C. ALLEN, Mayor,
 Washington Terrace City

ATTEST:

 AMY RODRIGUEZ, City Recorder

RECORDED this ____ day of _____, 2018.

PUBLISHED OR POSTED this ____ day of _____, 2018.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Washington Terrace City, hereby certify that foregoing Ordinance was duly passed and published, or posted at 1)_____ 2)_____ and 3)_____ on the above referenced dates.

City Recorder

DATE: _____