

RESOLUTION

A RESOLUTION REVISING RULES AND REGULATIONS FOR INSTALLATION, OPERATION AND MAINTENANCE OF WATER SERVICE PIPES, FIRE SERVICE PIPES AND WATER METERS

WHEREAS, management and control of the West Des Moines Water Works is vested in The Board of Trustees, and

WHEREAS, this Board of Trustees believes that it is appropriate, necessary and in the public interest that its practices relating to the installation of water service pipes, fire service pipes and water meters be set forth in an orderly manner, and

WHEREAS, this Board of Trustees believes that the practices set forth herein will provide for orderly construction, operation and maintenance of water service pipes and fire service pipes, and

WHEREAS, this Board of Trustees believes that the practices set forth herein and in the specifications attached hereto provide for orderly installation, operation and maintenance of water meters, together with opportunities to accurately charge water users for the water provided to them,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE WEST DES MOINES WATER WORKS, AS FOLLOWS:

SECTION 1. Water Service Pipes, Generally

The following rules and regulations apply to the installation, operation and maintenance of all water service pipes, regardless of the character of the building or irrigation system to which the water service pipe is connected.

1. The term "water service pipe" means the assembly of pipe, fittings and connections required to transport water for daily uses from a water main, or a fire service pipe, to any building or irrigation system. The water service pipe includes the connection to the water main, whether such connection is made by corporation valve or tapping valve and sleeve and includes a suitable provision for installation of a water meter. The water service pipe also includes the shut-off valve, or curb valve, installed as a part of the water service pipe.

In multi-dwelling or multi-occupancy commercial unit buildings, "water service pipe" also includes pipes between the water meter and the first fitting inside such dwelling or commercial unit. Such pipes may be constructed of any materials approved in the plumbing code of the City of West Des Moines.

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2. The person who owns and the person who occupies the building or irrigation system which is connected to the water service pipe shall be responsible for the installation, operation and maintenance of the water service pipe.

3. The minimum size of water service pipe for a single-family residential dwelling unit shall be 1 inch nominal diameter.

4. The size of water service pipe for any other building or irrigation system shall be determined by the owner thereof or a representative of the owner. The Water Works will not provide guidance thereon.

5. If a water service pipe is connected to a fire service pipe, the water service pipe need not extend to publicly-owned right-of-way. The connection between the water service pipe and the fire service pipe shall be located a minimum of five feet outside the building foundation wall.

6. Every water service pipe shall have a Water Works-approved shut-off valve installed outside the building foundation wall. A Water Works-approved valve box shall be installed over the shut-off valve to allow access to the valve without excavation.

7. Manifolding of water service pipes is permitted, provided (1) shut-off valves are installed in each pipe immediately downstream of the manifold, (2) the Water Works is provided field verified information on the locations of shut-off valves for each dwelling or commercial occupancy unit, (3) the shut-off valves are permanently marked with the unit address or other designation, in a manner approved by the Water Works, and (4) the pipes and shut-off valves are arranged in the same order as the occupancy units. Pipes shall not cross each other. A master shut-off valve is recommended.

8. No water service pipe shall be constructed so it becomes buried in the earth under any portion of a dwelling or commercial occupancy unit other than the dwelling or commercial occupancy unit to which it is connected. No water service pipe shall be constructed within any concrete floor. Water service pipes may cross portions of a concrete building foundation, but not otherwise be constructed within such foundation.

9. Water service pipes shall be constructed of materials approved by the Water Works. These requirements are stated in separate construction specifications.

10. Cross connection control shall be provided as set out in an Ordinance of the City of West Des Moines.

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SECTION 2. Water Service Pipes, Depending Upon the Character of the Building

The requirements stated hereinafter apply, depending on the character of the building to which the water service pipe is connected.

1. Single-family residential buildings, duplex residential buildings and one or two occupancy unit commercial buildings:

a. Provide a water service pipe and, if required by the fire code, a fire service pipe, meeting the requirements of Section 1 (Water Service Pipes, Generally) and Section 2 (Water Service Pipes, Depending Upon the Character of the Building), for each dwelling or commercial occupancy unit. One fire service pipe may be provided for each building, if such construction is not in conflict with any code of the City of West Des Moines.

2. Apartment and multi-occupancy commercial buildings:

a. Option 1: Provide one water service pipe and one fire service pipe for each building. Provide master water metering for each building as directed by Water Works.

b. Option 2: Provide one fire service pipe for each building, one water service pipe for each dwelling or commercial occupancy unit in each building, master water metering for each building as directed by Water Works and sub-water metering, if desired, for each dwelling or commercial occupancy unit. Sub-meters may be located in meter room(s) as described in Section 4 (Water Meters) or in each dwelling unit or commercial occupancy unit. When sub-meters are located in a meter room(s), the water service pipe manifold may be installed in the meter room(s). The requirements of paragraph 7 of Section 1 (Water Service Pipes, Generally) apply. The building owner and the owner's agent shall be the sole customer responsible for paying all charges payable to the City of West Des Moines and the Water Works through a generally accepted utility billing process. Sub-meters may be used to apportion the costs of such services among the units, however, sub-meters will not be recognized in any way by the Water Works.

c. Option 3. For multi-occupancy commercial buildings only, provide one fire service pipe for each building and one water service pipe each for selected commercial occupancy units and one water service pipe for the remaining commercial occupancy units. This option will allow selected water users (usually those using higher volumes of water) to become direct customers of the Water

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Works, while the remaining commercial occupancy units pay their share of the costs to the building owner and the owner's agent.

- d. If either Option 1 or Option 3 above, is chosen and the building does not qualify for the exception provided in Section 6 (Non-Compliance), the property will be found to be non-compliant with the Water Works rules, regulations and requirements.

If a property owner intends to convert a residential or commercial property into condominium use at some time after it is constructed, master water metering shall be provided at the time of construction and the pipes providing water service to each dwelling or commercial occupancy unit shall be prepared for such conversion in accordance with paragraph 3 below.

- 3. Condominium or other multi-dwelling or commercial multi-occupancy unit building use in which individual dwelling or commercial occupancy units may be owned by persons other than the owner of the overall building:
 - a. Provide one water service pipe, meeting the requirements of Section 1 (Water Service Pipes, Generally) and Section 2 (Water Service Pipes, Depending Upon the Character of the Building), for each dwelling or commercial occupancy unit. Provide one fire service pipe, meeting the requirements of Section 3 (Fire Service Pipes), for each building.
 - b. Water meters may be grouped together as described in Section 4 (Water Meters).

SECTION 3. Fire Service Pipes.

The following rules and regulations apply to the installation, operation and maintenance of fire service pipes.

- 1. The term "fire service pipe" shall mean the assembly of pipe, fittings and connections required to transport water from a water main to any type of building that requires water for fire-fighting purposes. The fire service pipe includes the connection method to the water main, whether such connection is made by corporation valve or tapping valve and sleeve and includes a suitable provision for installation of a water meter. The fire service pipe also includes the shut-off valve installed as a part of the fire service pipe.

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2. The person who owns and the person who occupies the building which is connected to the fire service pipe shall be responsible for the installation, operation and maintenance of the fire service pipe.

3. The minimum size of fire service pipe for any premise shall be two-inch nominal diameter, or as determined by the owner thereof or a representative of the owner. The Water Works will not provide guidance thereon.

4. Every fire service pipe shall have a Water Works-approved shut-off valve installed and said shut-off valve shall be located outside the building foundation wall. A Water Works-approved valve box shall be installed over the shut-off valve to allow access to the valve without excavation.

5. Cross connection control shall be provided as set out in an Ordinance of the City of West Des Moines.

SECTION 4. Water Meters.

The following rules and regulations apply to the installation, operation and maintenance of water meters.

1. At least one water meter, of a size determined by the Water Works, shall be installed on every water service pipe. No water meter is required on a fire service pipe.

2. The Water Works will use information supplied by the owner or a representative of the owner of a building or irrigation system to determine a size of water meter for that purpose. This information may be in the form of a designation of the use of the water or may be expressed in gallons per minute, as requested by the Water Works.

3. The Water Works will provide water meters without cost, except water meters damaged through negligence.

4. In the event an owner or occupant believes the water meter has been wrongly sized by the Water Works, the owner may request reconsideration of the water meter size. If the water meter size proves to be inappropriate, in the sole opinion of the Water Works, based on the original data provided to the Water Works, the Water Works will provide a new water meter and will pay for its installation. Otherwise, changes in water meter size may be made, with the replacement water meter provided at no cost by the Water Works for installation in the piping system, at the cost of the owner.

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5. Whenever water meters are to be grouped together, a separate area (meter room), apart from any living area and continuously accessible to Water Works personnel without passing through any living area, shall be provided for water meter(s). The water service pipe shall enter the meter room without passing through any other exposed area of the structure and a main shut-off valve is installed in the meter room. Water meters shall be permanently tagged with the unit address or other designation, in a manner approved by the Water Works.

6. Water meters shall not be installed in underground structures ("pits"), without written permission from Water Works.

7. The specifications entitled "SPECIFICATIONS FOR WATER METERING" attached to this Resolution are hereby adopted as parts of this Resolution.

SECTION 5. Discontinuance and Severance

1. Water service pipes and fire service pipes no longer needed shall be physically severed from their water supply source at no cost to the Water Works. Water meters and remote reading devices will be removed by the Water Works at its cost.

2. Discontinuance and severance of pipes will be accomplished so that (1) no dead-ended, buried piping remain connected to the water supply source and (2) no theft of water service can occur through clandestine reconnections to a water service pipe or fire service pipe.

3. Contact the Water Works for specific requirements when a water service pipes or fire service pipes become unneeded.

SECTION 6. Non-Compliance

1. Owners of water service pipes, fire service pipes and water metering arrangements not in compliance with this Resolution shall make such changes as may be required by the Water Works within 30 days of being notified in writing of said non-compliance.

2. After the end of the 30 day non-compliance period, water service may be discontinued to a non-complying premise.

3. The Board of Trustees may grant an exception from the requirements of this Resolution for residential buildings, for which building permits had been issued but final

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occupancy permits had not been issued as of September 1, 2003, that do not comply with all of the rules contained herein if the Board finds that:

- a. Because of the circumstances applicable to the subject property or to the structures situated thereon, including but not limited to the size, shape, location or surroundings of the subject property or buildings thereon, but expressly excluding any consideration of the personal circumstances of the applicant, the strict application of the Resolutions would create an unreasonable economic hardship; and
- b. The exception granted under this Section 6 (Non-Compliance) will result in a structure which will be in substantial compliance with this resolution and will incorporate mitigating features which are in accord with the purposes of this resolution.
- c. The following minimum mitigating features are required for an exception to be granted:
 1. A separate area (meter room), apart from any living area and continuously accessible to Water Works personnel without passing through any living area, is provided for a "master" water meter for the building; and
 2. the water service pipe enters the meter room without passing through any other exposed area of the structure; and
 3. a main shut-off valve is installed in the meter room; and
 4. each building is equipped with a water meter for each individual dwelling unit; and
 5. pursuant to its Declaration of Submission to Horizontal Property Regime, the owner of the property or the condominium owners' association agrees to be the sole customer responsible for timely paying all charges payable to the City of West Des Moines and the Water Works through a generally accepted utility billing process; and
 6. pursuant to its Declaration of Submission to Horizontal Property Regime, the owner of the property or the condominium owners' association consents and agrees to satisfy any lien which may be imposed pursuant to Iowa Code § 384.84(3) (2003).

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4. Non-compliance with Section 6 (Non-Compliance), regarding discontinuance and severance of water service pipes and fire service pipes, is grounds for discontinuance of water service to a building or irrigation system until the pipes no longer needed are disconnected as directed by the Water Works.

SECTION 7. Rules and Regulations

The content of this Resolution and its attachments shall become parts of the Rules and Regulations of West Des Moines Water Works as of the effective date of this Resolution.

SECTION 8. Repealer

All Resolutions or parts of Resolutions in conflict with the provision of this Resolution are hereby repealed.

SECTION 9. Severability

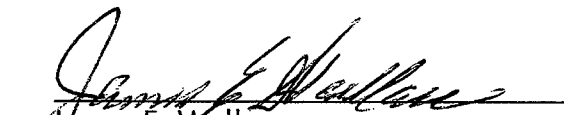
If any section, provision, sentence, clause, phrase or part of this Resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Resolution as a whole or any provision, section, subsection, sentence, clause, phrase, or part hereof not adjudged invalid or unconstitutional.

SECTION 10. Effective Date


This Resolution shall be in full force and effect on and after February 20, 2004.

PASSED AND APPROVED by this ninth day of February, 2004.

THE BOARD OF TRUSTEES, WEST DES MOINES WATER WORKS


James E. Wallace
Vice Chairman

ATTEST:


L. R. Anderson, P. E.
Secretary