

ORDINANCE 2002-05

WATER USE ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE USE OF THE PUBLIC WATER WORKS.

BE IT ORDAINED BY THE CITY OF STARKVILLE, COUNTY OF OKTIBBEHA,  
STATE OF MISSISSIPPI AS FOLLOWS:

ARTICLE I

DEFINITIONS

The following words and terms when used in this chapter are intended to mean and shall mean as follows, to wit:

**Person** shall mean any person, firm or corporation, either as principal or as agent for another.

**Municipal Mains** shall mean any and all water-carrying and water-distributing pipes, mains, and conduits owned by the City of Starkville.

**Water** shall mean the water service or water supply belonging to and furnished, or to be furnished, by the City of Starkville.

ARTICLE II

CONNECTIONS WITH WATER MAINS

- Section 1. It shall be unlawful for any person to make or cause to be made any connection, directly or indirectly, with any of the municipal mains, or in any way to obtain or cause to be obtained any water from the municipal mains, except as herein provided.
- Section 2. When any person desires an original service connection with any municipal main, and when any person desires to obtain an initial or original water supply, he shall make written application therefore on a form or forms to be obtained from the City of Starkville Water & Sewer Department, setting forth in such application the number and kind of fixtures and outlets that will be served by such connection, and the purpose or purposes for which the water will be used.
- Section 3. Any person who applies for and obtains water at a particular location or in or upon any premises and who desires to discontinue the use of such water at any such place shall notify the City of Starkville Water & Sewer Department, in writing, of the time when the use of the water by him will be discontinued. In the event of the failure to give such notice, such person shall remain and be liable for any and all water used at the location until the City of Starkville Water & Sewer

Department shall acquire actual personal knowledge that the person who so applied for such water at the location has discontinued use thereof.

- Section 4. Any person desiring to obtain or use water at any place or upon any premises where the original service connection has already been made but where the water has been cut off, or left on, shall in either event make application to the City of Starkville Water & Sewer Department for such water, as in the case of a person desiring to obtain an initial or original supply of water.
- Section 5. No person except the City of Starkville Water & Sewer duly authorized employee shall turn the water on or off at any stopcock, or install or remove to repair any water meter or service pipe or connection.
- Section 6. No person shall make any change in or addition to any water pipes at, in or upon any premises, or install or connect any additional water fixtures or outlets unless such person shall first have obtained a written permit to do so from the City of Starkville Water & Sewer Department.
- Section 7. A separate service pipe from the municipal main shall be required for each location and customer served, and no water pipe shall extend or be extended from any location, lot, building or premises to another, unless a permit to do so shall first be obtained from the City of Starkville Water & Sewer Department.

### **ARTICLE III**

#### **SERVICE CONNECTIONS**

- Section 1. The size of the service connection or tap on any municipal main shall be governed by the use indicated on the original written application therefor. No connection or tap shall be made to any municipal main without the written consent of the City of Starkville Water & Sewer Department.
- Section 2. The title to all service pipes, cocks, valves, curb cock boxes, meters and materials provided, furnished or installed by the municipality, and/or those which have been deeded to the municipality by any owner and/or developer, shall be and remain in the municipality.

### **ARTICLE IV**

#### **INSPECTION OF PREMISES AUTHORIZED**

A duly authorized employee of the City of Starkville Water & Sewer Department, shall have the right at any reasonable time to go upon or in any premises supplied with water for the purpose of determining the amount of water used on any such premises and for the purpose of inspection and examining the fixtures, appliances, outlets or methods employed in the use of such water.

## **ARTICLE V**

### **OPERATION OF FIRE HYDRANTS RESTRICTED**

No person other than an employee of the Starkville Water & Sewer Department or fire department engaged in the discharge of his duty shall turn on or operate any of the fire hydrants belonging to the City of Starkville Water & Sewer Department. Privately owned fire hydrants or other fire protective devices shall be used only in case of fires, unless otherwise authorized in writing by the City of Starkville Water & Sewer Department. Any water used by means of any such privately owned hydrant or device for any purpose other than the bona fide extinguishment or attempted extinguishment or control of fire shall be paid for at the quantity rates herein prescribed for retail meter consumers.

## **ARTICLE VI**

### **OBSTRUCTING ACCESS TO WATER FIXTURES**

No person shall obstruct the free access to any fire hydrant, stopcock or other fixture belonging to the City of Starkville and used in connection with its water mains by placing motor vehicles or other conveyances, stone, brick, lumber, dirt or anything whatsoever so as to constitute an obstruction in the way of or impeding immediate access to any such fire hydrant or other fixture.

## **ARTICLE VII**

### **WASTING WATER**

No person shall carelessly or willfully waste the water obtained from the municipal mains, nor supply the same to non-customers. Water shall not be carried away from the municipal schools, fountains, parks, buildings or any other municipal property.

## **ARTICLE VIII**

### **MAINTENANCE OF PIPES AND FIXTURES**

All persons furnished water by the City of Starkville Water & Sewer Department shall keep and maintain their water pipes, fixtures, appliances and outlets in good repair, so as to prevent the waste of water. Water fixtures or outlets shall not be left running to prevent the same from freezing, or otherwise, so as to waste water.

## **ARTICLE IX**

### **CONSUMERS**

Section 1. Classification--The water customers and consumers furnished and supplied water by the City of Starkville Water & Sewer Department are hereby classified as follows:

- A. Business or commercial/industrial water customers and consumers: This classification and class of municipal water customers and consumers shall and does include all business and commercial concerns, establishments, enterprises and premises now obtaining or hereafter to obtain water from the City of Starkville Water & Sewer Department for any purpose other than solely for domestic, home and family consumption and use and expressly the following:

All hotels, restaurants, lunch stands, filling stations, stores, hospitals, construction projects or work, garages, barbershops, colleges, laundries, bakeries, dry cleaning establishments, office buildings, banks, drugstores, washracks, and any and all other manufacturing facilities supplied with water by the City of Starkville Water & Sewer Department except private homes or residences.

- B. Domestic customers or consumers: This classification and class of municipal water customers and consumers shall and does include private homes and residences.

Section 2. Commercial/Industrial Consumers

Business or commercial/industrial water customers or consumers shall be furnished water by the City of Starkville Water & Sewer Department at the quantity or meter rates hereinafter prescribed. If any business or commercial/industrial water customer or consumer has not been supplied with a water meter, the City of Starkville Water & Sewer Department shall supply such customer or consumer with a water meter at the expense of the customer or consumer as soon as the same can reasonably be obtained and installed by the City of Starkville Water & Sewer Department.

Section 3. Meters to be furnished

The City of Starkville Water & Sewer Department shall furnish and supply water meters to all domestic customers and consumers of water in the city as soon as it is reasonably possible for the City of Starkville Water & Sewer Department to obtain and install such meters. Such meters shall be obtained, furnished and installed by the City of Starkville Water & Sewer Department after an adequate fee has been collected. When such meter has been so installed, such domestic customer and consumer shall be furnished and shall pay for water at the quantity and meter rates prescribed herein.

## **ARTICLE X**

### **PENALTIES**

The City of Starkville Water & Sewer Department shall pursue action in an appropriate court agency against any person violating any of the prohibitions or provisions of this ordinance.

## **ARTICLE XI**

### **AMENDMENTS**

This Ordinance shall be amended, as necessary, to comply with Federal or State Regulations.

## **ARTICLE XII**

### **VALIDITY**

Section 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

The above Ordinance was first reduced to writing and read and considered by Sections at the regular June 2002, meeting of the Mayor and Board of Aldermen and on motion duly made by Alderman P.C. McLaurin, Jr., for the adoption of said Ordinance and seconded by Alderman Vic Zitta, a vote was taken as follows:

Alderman Sumner D. Davis, III	Voted: Yea
Alderman Frank M. Davis, Sr.	Voted: Yea
Alderman P.C. McLaurin Jr.	Voted: Yea
Alderman Lee Beck	Voted: Yea
Alderman Virgil Bolin	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Vic Zitta	Voted: Yea

Thereupon the Mayor, Mack D. Rutledge, declared the Ordinance duly adopted this the 4<sup>th</sup> day of June, 2002 and declared same to be full force and effect according to law.

## **ARTICLE XIII**

### **ORDINANCE IN FORCE**

Section 1. Because the adoption of this ordinance is necessary for the health and welfare of the citizens of Starkville, this ordinance shall be in full force and effect from and after the date of its approval and passage, approval, recording, and publications as provided by law.

Section 2. I, Vivian E. Collier, City Clerk and official custodian of the records of The City of Starkville, do hereby certify that the foregoing Water Use Ordinance was passed and adopted at a regular meeting of said Commission and is further a matter of record in Minute Book No. 37 at Page No. 40-41.