**CHAPTER XV: UTILITIES**

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**ARTICLE 1: GENERAL PROVISIONS**

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**§ 15-101 DEFINITION.**

 For the purpose of this article, the following definition shall apply unless the context clearly indicates or requires a different meaning.

 ***UTILITY SERVICES.*** Includes water, sewer, solid waste (refuse) and other utility services provided by the city.

**§ 15-102 DELINQUENT ACCOUNTS.**

 Unless otherwise provided water, sewer, solid waste (refuse) or other utility service shall be terminated for nonpayment of service fees or charges in accordance with §§ 15-103 and 15-104.

**§ 15-103 NOTICE; HEARING.**

1. If a utility bill has not been paid on or before the due date for two consecutive months as provided in this chapter, a delinquency and termination notice shall be issued by the City Clerk within five days after the delinquency occurs and mailed to the customer at his or her last known address. A copy also shall be mailed to the occupant of the premises if the occupant and the customer are not the same person. The customer shall be notified either in person via red tag or by certified mail to his or her last known address, return receipt requested.
2. The notice shall state:
3. The amount due, plus delinquency charge;

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1. Notice that service will be terminated if the amount due is not paid within ten days from the date of the notice, unless the date on the notice to pay the charges due shall be on a Saturday, Sunday or legal holiday, in which event such notice will give the consumer until the close of the next business day in which to pay the charges;
2. Notice that the customer has the right to a hearing before the City Council; and
3. Notice that the request for a hearing must be in writing and filed with the City Clerk no later than three days prior to the date for termination of service.
4. Upon receipt of a request for hearing, the City Clerk shall advise the customer of the date, time and place of the hearing that shall be held at the next City Council meeting upon receipt of the request.

**§ 15-104 SAME; FINDING.**

 Following the hearing, if the City Council shall find that service should not be terminated, then notice of such finding shall be presented to the City Clerk. If the City Council finds that service should be terminated, an order shall be issued terminating service five days after the date of the order. The customer shall be notified either in person or by certified letter to his or her last known address by certified mail, return receipt requested, however, if the order is made at the hearing in the presence of the customer, then no further notice need be given. The City Council has a right, for good cause, to grant an extension, not to exceed ten days, for the termination of such service.

**§ 15-105 UTILITY DEPOSIT.**

1. At the time of making application for new instillation of utility service, the property owner or customer shall make a $100 cash deposit to secure payment of accrued bills or bills due on discontinuance of service. Receipt thereof shall be issued to each such depositor. After one year of non-delinquent payments, deposit will be returned.
2. In the event that utility service shall be disconnected or discontinued for failure to pay any bill due the city for such utility, such cash deposit shall be applied as a credit against all amount due from the customer to the city, and if there shall remain any surplus of such deposit, the same shall be returned to the customer.

**General Provisions**

**§ 15-106 DELINQUENT ACCOUNTS; REFUSAL OF SERVICES; TERMINATION OF SERVICE; LIEN AGAINST PROPERTY.**

1. In the event that any person, except the United States or the state, shall fail to pay the fees or charges for such utility service(s), utility service shall be terminated as provided in §§ 15-102 to 15-104.

The governing body may refuse the delivery of utility service(s), as permitted by law, until such tie as the fees and charges are paid in full.

1. In the event that any person, except the United States or the state, residing, occupying, using or operating on property to which utility service(s) furnished by the city is not paid, the unpaid fees or charges shall constitute a lien upon the property to which the utilities are furnished. The amount of the unpaid fees or charges shall be certified by the governing body to the County Clerk of the county in which the property is located, to be placed upon the tax roll for collection, subject to the same penalties and collected in the same manner as other taxes are collected by law.
2. The lien, described in division (b) above, shall not attach to property for unpaid utility fees or charges when the utility service(s) have been contracted for a tenant and not by the landlord or owner of the property to which the utility service is provided.
3. If at the time of application for utility service the applicant has an outstanding balance or unpaid fees or charges for utility services provided by the city, the application shall not be accepted until all fees or charges are paid in full.

**§ 15-107 LANDLORD LIABILITY.**

1. Owners of premises served by utility service under this article shall be liable for payment of the costs of any utility service account delinquency arising from service provides to such premises, regardless of whether the utility service was furnished upon the application and request of the owner or lessee of the premises. The provision shall also apply when the premises are leased by or through an agent or other representative of the owner.
2. In the event that a delinquency arises involving leased premises, in addition to the tenant, the owner or owner’s agent shall be notified in writing of the delinquency of the lessee by first-class regular mail within ten days after the billing to the lessee becomes delinquent. Notice shall be sufficient if mailed to the last known address of the owner or owner’s agent known to city personnel responsible for said mailing, after reasonable inquiry.
3. If utility service is furnished to a leased premises on the application or request of the lessor of the premises, then all billings for utilities furnished to such leased premises shall be made directly to the lessor, ad the lessor shall be fully liable for the cost of service furnished.

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1. The city may collect the amount of the unpaid bill for utility services by any lawful means; provided, however, that in no event may the city place a lien, as provided in § 15-106(b), on real estate of the lessor.

**§ 15-108 PETTY CASH FUND.**

A Petty Cash Fund in the amount of $100 is established for the use of the City Utilities Department, for the purpose of paying postage, freight, temporary labor and other emergency expenses, including refund of deposits made to secure payment of accounts.

**§ 15-109 SAME; DEPOSITS.**

 The Petty Cash Fund shall be deposited in the regular depository bank of the city and paid out on the order of the City Clerk by check which shall state clearly the purpose for which issued.

**§ 15-110 SAME; VOUCHERS.**

 When the Petty Cash Fund becomes low or depleted, the City Clerk shall prepare vouchers covering expenses as have ben paid from the Petty Cash Fund and shall submit such vouchers together with the paid checks to the governing body for review and allowance of the amounts from the regular funds of the utilities. Warrants therefor shall be payable to the Petty Cash Fund and shall be deposited therein to restore said Petty Cash Fund to its original amount.

**ARTICLE 2: WATER**

Section

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**§ 15-201 DEFINITION.**

 For purpose of this article, water services shall include water services provided by the city.

(Ord. 291, passed 10-7-2015)

**§ 15-202 SUPERINTENDENT OF WATER AND SEWAGE.**

 The general management, care, control and supervision of the city water system shall belong to the Superintendent of Water and Sewage, who shall be appointed by the Mayor with the consent of the governing body.

(Ord. 291, passed 10-7-2015)

**§ 15-203 REGULATIONS.**

 The furnishing of water to customers by the city through its waterworks system shall be governed by the regulations set out in this article.

(Ord. 291, passed 10-7-2015)

**§ 15-204 SERVICE NOT GUARANTEED.**

 The city guarantees the delivery of water through any of its mains and connection services at any time except when its mains, pumping machinery, power services connection are not in good working order, and the supply of water is insufficient for the usual demand of its consumers.

(Ord. 291, passed 10-7-2015)

**§ 15-205 SERVICE CONNECTIONS REQUIRED.**

1. The owner of any house, building or property used for human occupancy, employment, recreation or other purpose, that is situated within the city and abuts any street, alley or right-of-way which is currently located, or may in the future be located, near a public water main, is hereby required, at his or her own expense, to make active connection to such water meter.
2. Before any connection is made to the city’s water system the owner of the premises must file a written application with the City Clerk that seeks a permit to make such connection. An owner may not make such connection until said application is approved by the City Council and a permit authorizing said connection is granted.

(Ord. 291, passed 10-7-2015)

**Water**

**§ 15-206 RATES/CHARGES/FEES.**

 Any changes in rates for water services, service application fees, meter testing fees, connection permits, reconnection charges and penalties will be adopted by resolution of the governing body. Resolutions regarding rates/charges/fees will be mailed to customers and will be posted in the City Office.

(Ord. 291, passed 10-7-2015)

**§ 15-207 APPLICATION FOR SERVICE.**

1. Any person, firm or corporation that wishes to file an application seeking a permit to make a connection with the municipal water system shall complete the application form provided by the City Clerk.
2. The application shall:
3. Contain the full legal description of the property;
4. Contain the street address of the property;
5. State the size of tap required;
6. State the size and kind of service pipe to be used;
7. State the full name of the owner of the premises to be served;
8. State the purpose for which the water is to be used;
9. State any other pertinent information that may be required by the city; and
10. Be signed by the owner or occupant of the premises to be served, or his or her authorized agent.
11. Each application for a connection permit shall be accompanied by a non-refundable $15 application fee.
12. The applicant must agree to pay all fees as set forth in § 15-208.

(Ord. 291, passed 10-7-2015)

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**§ 15-208 CONNECTION FEES.**

 In the event an owner’s application is approved and a permit is issued, the owner is responsible for all actual costs incurred by the city to make a connection to the water meter. Said costs include, but are not limited to: parts; labor; fuel; and equipment hours. The city shall bid said costs within 30 days of completion. The owner must pay said bill within 30 days of receiving said bill. Failure to pay the full amount due within 30 days, unless a mutually acceptable payment arrangement is made, will result I disconnection of services. Services may not be restored until the amount due, plus any penalties and reconnection fees, are paid in full.

(Ord. 291, passed 10-7-2015)

**§ 15-209 PAYMENT OF BILLS**

1. All water bills shall be due and payable by the dates stated on the bill.
2. All unpaid water bills shall become delinquent after the fifth day of the following month and a late payment charge of $5, as penalty, will be added to each delinquent water bill.

(Ord. 294, passed 1-18-2017)

**§ 15-210 DELIQUENT ACCOUNTS.**

 Water, sewer, solid waste disposal or other utility service shall be terminated for nonpayment of service fees or charges. Customer must pay current water bill plus 25% of delinquent water bill, unless a mutually accepted payment arrangement is written and signed between the city and the customer.

(Ord. 291, passed 10-7-2015)

**§ 15-211 NOTICE; HEARING.**

1. If a utility bill has not been paid on or before the due date for two consecutive months as provided in this article, a delinquency and termination notice shall be issued by the City Clerk on or around the twentieth day of the month following the delinquency and delivered to the customer at his or her last known address. A copy also shall be mailed the occupant of the premises if the occupant and the customer are not the same person.
2. The notice shall state:
3. The amount due, plus delinquency charge;
4. Notice that service will be terminated if the amount due is not paid by close of business on the last business day of the month;

**Water**

1. Notice that the customer has the right to a hearing before the designated City Council;
2. Notice that the request for a hearing must be made in writing and filed with the City Clerk no later than three days prior to the date of termination of service; and
3. Upon receipt of a request for hearing, the City Clerk shall advise the customer of the date, time and place of the hearing which shall be held at the next City Council meeting upon receipt of the request.

(Ord. 291, passed 10-7-2015)

**§ 15-212 SAME; FINDING.**

 Following the hearing, if the City Council shall find that service should not be terminated, then notice of such finding shall be presented to the City Clerk. If the Officer finds that service should be terminated, an order shall be issued terminating service five days after the date of the order, unless payment is then provided. The customer shall be notified in person or by mailing a letter to his or her last known address by certified mail, return receipt requested. However, if the order is made at the hearing in the presence of the customer, then no further notice need be given. The Hearing Officer has a right, for good cause, to grant an extension, not to exceed ten days, for the termination of such services.

(Ord. 291, passed 10-7-2015)

**§ 15-213 RECONNECTION CHARGE.**

 The governing body shall establish, by resolution, a water service reconnection charge. Any service disconnected for nonpayment of delinquent bill shall be reconnected only upon payment of the delinquent bill, ay penalty thereon, and the reconnection charge of $50.

(Ord. 291, passed 10-7-2015)

**§ 15-214 LANDLORD LIABILITY.**

1. Owners of premises served by utility service under this article shall be liable for payment of the costs of any utility service account delinquency arising from service provided to such premises, regardless of whether the utility service was furnished upon the application and request of the owner or lessee of the premises. This provision shall also apply when the premises are leased by or through an agent or other representative of the owner.
2. In the event that a delinquency arises involving leased premises, in addition to the tenant, the owner or owner’s agent shall be notified in writing of the delinquency of the lessee by first class regular mail within ten days after the billing to the lessee becomes delinquent. Notice shall be sufficient if mailed to the last known address of the owner or owner’s agent known to city personnel responsible for said mailing, after reasonable inquiry.

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1. If utility service is furnished to a leased premises, in addition to the tenant, the owner or owner’s agent shall be notified in writing of the delinquency of the lessee by first class regular mail within ten days after the billing to the lessee becomes delinquent. Notice shall be sufficient if mailed to the last known address of the owner or owner’s agent known to city personnel responsible for said mailing, after reasonable inquiry.
2. The city may collect the amount of the unpaid bill for utility services by any lawful means; provided, however, that in no event may the city place a lien on real estate of the lessor.

(Ord. 291, passed 10-7-2015)

**§ 15-215 CITY TO MAKE CONNECTIONS.**

 All taps shall be given, street excavations made, corporation cocks inserted, pipes installed from main to curb and the curb cock installed in a meter box to which the service pipe is to be connected by city employees only.

(Ord. 291, passed 10-7-2015)

**§ 15-216 CURB COCKS.**

 There shall be a curb cock in every service line attached to the city main, the same to be placed within the meter box. Curb cocks shall be supplied with strong and suitable “T” handles.

(Ord. 291, passed 10-7-2015)

**§ 15-217 CHECK VALVES.**

Check valves are required on all connections to steam boilers or any other connection deemed necessary by the Water Superintendent. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of 40 pounds per square inch.

(Ord. 291, passed 10-7-2015)

**§ 15-218 UNAUTHORIZED SERVICE.**

 It shall be unlawful for any person, firm or corporation, other than duly authorized city officials or employees to turn water on or off at the water meter or curb cock shut off, with a key or in any other manner, without first obtaining permission from the City Maintenance, Mayor or the governing body.

(Ord. 291, passed 10-7-2015)

**Water**

**§ 15-219 METERS.**

1. All water furnished to customers shall be metered.
2. The city’s responsibility stops at the meter.

(Ord. 291, passed 10-7-2015)

**§ 15-220 SAME; TESTING.**

 Meters shall be tested before being set and at any other time thereafter when they appear to be measuring incorrectly. If a test is requested by the customer and the meter is found to be accurate within 2%, the meter will be deemed correct and a charge will be made to the customer.

(Ord. 291, passed 10-7-2015)

**§ 15-221 TAMPERING WITH METER.**

It shall be unlawful for any person to break the seal of any meter, to alter the register or mechanism of any meter, or to make any outlet or connection in any manner so that water supplied by the city may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee of the Water Department to turn any curb cock on or off.

(Ord. 291, passed 10-7-2015)

**§ 15-222 LEAKS PROHIBITED; PENALTY.**

 No allowances shall able made for water used or lost through leaks, carelessness, neglect or otherwise after the same has passed through the meter. However, every customer shall have the right to appeal to the city from water bill or meter reading which he or she may consider excessive.

(Ord. 291, passed 10-7-2015)

**§ 15-223 INTERRUPT SERVICE.**

The city reserves the right to interrupt water service for the purpose of making repairs or extensions to the water lines or equipment. The city will provide advance notification to affected customers whenever possible.

(Ord. 291, passed 10-7-2015)

**Ransom – Utilities**

**§ 15-224 PROHIBITED ACTS.**

 It shall be a violation of this article for any unauthorized person to:

1. Perform any work upon the pipes or appurtenances of the city’s waterworks system beyond a private property line unless such person is employed by the city;
2. Make any connections with any extension of the supply pipes of any consumer without written permission to do so having been first obtained from the governing body; and
3. Remove, handle or otherwise molest or disturb any meter, meter lid, cutoff or any other appurtenances to the water system of the city.

(Ord. 291, passed 10-7-2015)

**§ 15-225 WASTING WATER.**

 Water users shall prevent unnecessary waste of water and shall keep sprinklers, hydrants, faucets and all apparatus, including the service line leading from the property to the meter in good condition at their expense.

(Ord. 291, passed 10-7-2015)

**§ 15-226 RIGHT OF ACCESS.**

 Authorized employees of the city may enter upon any premises at reasonable hours for the purpose of reading the meter, servicing or inspecting meters and/or water lines.

(Ord. 291, passed 10-7-2015)

**§ 15-227 CROSS-CONNECTIONS PROHIBITED.**

 No person shall establish or permit to be established or maintain or permit to be maintained, and cross-connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the city may enter the supply and distributing system of the city unless specifically approved by the State Department of Health and Environment and the governing body.

(Ord. 291, passed 10-7-2015)

**Water**

**§ 15-228 SAME; PROTECTIVE BACKFLOW DEVICES REQUIRED.**

 Approved devices to protect against backflow or backsiphonage shall be installed at all fixtures and equipment where backflow and/or backsiphonage may occur and where there is a hazard to the potable water supply in the polluted water or other contaminating materials may enter into the public water supply. Any situation in which a heavy withdrawal of water, such as a sudden break in the main or water being used from a fire hydrant, may cause a negative pressure to develop which could lead to backsiphonage of polluted water into the system shall be improper and must be protected by approved backflow preventative valves and systems as determined by the Superintendent.

(Ord. 291, passed 10-7-2015)

**§ 15-229 SAME; PROTECTION FROM CONTAMINANTS.**

 Pursuant to the city’s constitutional home rule authority and K.S.A. 65-163a, the city by its Utility Superintendent may refuse to deliver water through pipes and mains to any premises where a condition exists which might lead to the contamination of the public water supply system and it may continue to refuse the delivery of water to the premises until that condition is remedied. In addition, the City Utility Superintendent may terminate water service to any property where the cross-connections or backsiphonage condition creates in the judgement of the Superintendent, and emergency danger of contamination to the public water supply.

(Ord. 291, passed 10-7-2015)

**§ 15-230 SAME; INSPECTION.**

 The City Utility Superintendent or other designee of the governing body shall have the right of entry into any building or premises in the city as frequently as necessary in his or her judgement in order to ensure that plumbing has been installed in accordance with the laws of the city so as to prevent the possibility of pollution of the water supply of the city.

(Ord. 291, passed 10-7-2015)

**§ 15-231 WATER RATES.**

 The rates per month to consumers of water furnished by the city shall be as follows:

1. #32.00 minimum charge for the first 2,000 gallons, whether or not 2,000 gallons are consumed; provided, however, that $36.26 is the minimum for the first 2,000 gallons, whether consumed or not, if the consumption is outside the city limits.
2. $5 per 1,000 gallons from 2,000 to 10,000 gallons consumption; and $6 per 1,000 gallons over 10,000 gallons consumption.

(Ord. 294, passed 1-18-2017)

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**ARTICLE 3: ELECTRICITY**

*[Reserved]*

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**ARTICLE 4: SEWERS**

Section

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**§ 15-401 DEFINITIONS.**

 For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***B.O.D. (DENOTING BIOCHEMICAL OXYGEN DEMAND).*** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C, expressed in parts per million by weight.

 ***BUILDING DRAIN.*** The part of the lowest horizontal piping of a drainage system that 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 feet outside the innerface of the building wall.

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

 ***COMBINED SEWERS.*** Sewers receiving both surface runoff and sewage are not permitted.

 ***INDIVIDUAL DOMESTIC.*** Any single-family residence, commercial business, office, institution, school, church or public entity having an individual direct or indirect connection to the wastewater facilities of the city and on individual city or private water service meter, or connection to any such water service.

 ***INDUSTRIAL.*** Any industrial business engaged in the manufacturing or processing of one or more products, and in which wastewaters are produced from such manufacturing or processing and said wastewaters are discharged directly or indirectly to the wastewater facilities of the city.

 ***MULTI-DOMESTIC.*** Any multi-family residence, apartment or mobile home and any commercial business, office, institution, school, church or public entity having a direct or indirect connection to the wastewater facilities of the city and not having an individual water service meter but is served with city or private metered water by the owner of the property on which it is located.

 ***NORMAL WASTEWATER.*** The strength of normal wastewater shall be considered within the following ranges:

1. A five day biochemical oxygen demand of 300 milligrams per liter or less;
2. A suspended solid concentration of 350 milligrams or less; and
3. Hydrogen ion concentration of 5.0 to 9.0.

**Sewers**

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

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

 ***SANITARY SEWER.*** A sewer that carries sewage and to which storm, surface and groundwaters 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 stormwaters as may be present.

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

 ***STORM SEWER*** or ***STORM DRAIN.*** A sewer that carries storm and surface waters and drainage, but excludes sewage ad polluted industrial wastes.

 ***SUPERINTENDENT.*** The Superintendent of the city or his or 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.

 ***USER.*** Any person as defined in § 1-102, including an institution, governmental agency or political subdivision producing wastewater requiring processing and treatment to remove pollutants and having premises connected to the wastewater facilities.

 ***WASTEWATER.*** Sewage, the combination of liquids and water-carried wastes from residences, commercial and industrial buildings, institutions, governmental agencies, together with any ground, surface or stormwater that may be present.

**§ 15-402 SEWER CONNECTION REQUIRED.**

 The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, 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 sewer of the city, is hereby required at his or her expense to install a suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within 90 days after date of official notice to do so; provided, that said public sewer is within 140 feet of the property line.

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**§ 15-403 PERMIT; CONNECTION FEE.**

 No 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 city.

(Ord. 291, passed 10-7-2015)

**§ 15-404 APPLICATION.**

1. The application shall contain:
2. The legal description of the property to be connected;
3. The name and address of the owner or owners of the property;
4. The kind of property to be connected (residential, commercial, or industrial); and
5. The point of proposed connection to the city sewer line.

**§ 15-405 COSTS.**

 All costs and expense incident to the installation and connection of the building sewer shall be paid 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.

**§ 15-406 SEWER CONNECTION.**

 The connection of the building sewer into the public sewer shall be made at the “Y” branch if such branch is available at a suitable location. Where no properly located “Y” branch is available, the connection shall be made in the manner approved by the Utility Superintendent and at a location designated by the Superintendent.

**§ 15-407 SEWER FOR EACH BUILDING.**

 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 feasibly constructed to the rear building. In such case, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

**Sewers**

**§ 15-408(1) SAME; SPECIFICATIONS.**

The building sewer shall be constructed of cast iron pipe, ASTM specifications A74-42, or approved equal; vitrified clay sewer pipe, ASTM specifications C13-44T, or approved equal; or an approved plastic pipe. Any plastic pipe to be installed on any building sewer shall not be approved by the city until the owner has furnished descriptive literature and typical sample section of the plastic pipe proposed for installation, to the city for inspection and review. All joints on all pipe installed shall be tight and water-proof. Any part of the building sewer that is located within ten feet of a water service pipe or city water main shall be constructed of approved cast iron soil pipe with approved joints. No building sewer shall be installed within three feet of existing gas lines. If installed in filled or unstable ground, the building sewer shall be constructed of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the city.

**§ 15-408(2) SAME; SPECIFICATIONS; SIZE AND SLOPE OF BUILDING SEWER.**

 The size and slope of the building sewer to be installed shall be subject to the approval of the City Inspector, but in no event shall the diameter of the pipe be less than four inches. The slope at which a six inch pipe is to be laid shall be not less than one-eighth inch per foot for four inch pipe, not less than one-fourth inch per foot. Any grades for the pipe, which are proposed for installation at grades less than these specified, shall be approved by the City Inspector prior to placement.

**§ 15-408(3) SAME; SPECIFICATIONS; ELEVATION.**

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a unform grade and in straight alignment insofar as possible. Changes in direction shall be made only with approved curved pipe and fittings, including cleanout fittings.

**§ 15-408(4) SAME; SPECIFICATIONS; LIFT.**

 At buildings in which the building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer. The use of any pumping equipment for which cross-connections with a public water supply system are needed, is prohibited. The total costs of pumping equipment and pumping equipment operational costs shall be those of the owner.

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**§ 15-408(5) SAME; SPECIFICTIONS; CESSPOOL, SEPTIC TANK OR VAULT.**

 No building sewer shall be laid across a cesspool, septic tank or vault until the cesspool, septic tank or vault has been well cleaned and filled with an approved earth or sand fill, then thoroughly tamped and water settled. Cast iron pipe may be used across cesspools or septic tanks, if proper bedding and support for the sewer pipe is acquired.

**§ 15-408(6) SAME; SPECIFICATIONS; EXCAVATIONS.**

 All excavation required for the installation of the building sewer shall be open trench work unless otherwise approved by the city. Pipe laying and backfill shall be performed in accordance with ASTM specifications C12-19, except that no backfill shall be placed until the work has been inspected and approved.

**§ 15-408(7) SAME; SPECIFICATIONS; JOINTS.**

1. All joints in the building sewers shall be made water-tight. If recommended by the City Inspector, a water pressure test shall be made on the completed sewer to ensure a compliance with this requirement, requiring that the building sewer withstand an internal water pressure of five psi, without leakage.
2. Cast iron pipe with lead joints shall be firmly packed with oakum or hemp and filled with molten lead, federal specifications QQ-L-156, not less than one inch deep. Lead shall be run in one pour and caulked and packed tight. No paint, varnish or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.
3. All joints in vitrified clay pipe shall be the polyurethane-compression type joints, approved by the City Inspector.
4. Joints for all plastic pipe used in building sewers shall be on the slip type joints or solvent weld type, approved by the city.
5. Joints between any two different types of pipes shall be made with lead, asphaltic jointing materials or concrete, as approved by the city. All joints shall be water-tight and constructed to ensure minimum root penetration and to the satisfaction of the city.

**Sewers**

**§ 15-409 SEWER EVACUATIONS: DAMAGES.**

 All evacuations for buildings sewers shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, curb and gutters, sidewalks, parkways and other public property removed or damaged during the installation of the building sewer shall be repaired or replaced in a manner acceptable to the city and at the total expense of the owner. It is further agreed that any parties involved in any excavating or installation work for sewer installations as above set out, will hold the city harmless from any and all damages to persons or property resulting from or growing out of any opening or excavation or any negligent act or from any operation made within the city.

**§ 15-410 FAILURE TO CONNECT.**

1. If any person as defined in § 1-102 shall fail to connect any dwelling or building with the sewer system after being noticed, the city may cause such buildings to be connected with the sewer system as authorized by K.S.A. 12-631.
2. The cost and expense, including inspection fees, shall be assessed against the property. Until such assessments shall have been collected and paid to the city, the cost of making such connection may be paid from the General Fund or through the issuance of no fund warrants.

**§ 15-411 PRIVY UNLAWFUL.**

 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 except as provided in this article.

**§ 15-412 PRIVATE SEWER SYSTEM.**

 Where a public sanitary sewer is not available under the provisions of § 15-402, the building sewer shall be connected to a private sewage disposal system complying with the provisions of §§ 15-411 to § 15-4416.

**§ 15-413 SAME; PERMIT.**

 Before commencing construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Utility Superintendent. The application shall be accompanied by any plans, specifications or other information deemed necessary by the Utility Superintendent. A permit and inspection fee of $25 shall be paid to the city at the time the application is filed.

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**§ 15-414 SAME; INSPECTION.**

 The Utility Superintendent or his or her authorized representative shall be allowed to inspect the work at any stage of construction and the applicant shall notify the superintendent when the work is ready for final inspection or before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Superintendent.

**§ 15-415 SAME; DISCHARGE.**

1. The type, capacities, location and layout of the private sewage disposal system shall comply with all recommendations and requirements of the Water Pollution Control Section of the State Department of Health and Environment. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than one acre. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.
2. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 15-402, a direct connection shall be made to the public sewer in compliance with this article, and any septic tank, cesspool and similar private sewage disposal facilities shall be abandoned and filled with suitable and acceptable materials.

**§ 15-416 SAME; ADDITIONAL REQUIREMENTS.**

 No statement contained in this article shall e construed to interfere with any additional requirements that may be imposed by the City or County Health Officer.

**§ 15-417 DISPOSAL OF SEWAGE.**

 It shall be unlawful for any person to deposit or discharge from any source whatsoever any sewage or human excrement upon any public or private grounds within the city, or to permit the contents of any privy, vault or septic tank to be deposited or discharged upon the surface of any grounds. Any unauthorized or unapproved privy vault, septic tank or other means or places for the disposal of sewage,

excrement and polluted water may be abated as a public measure upon the order of the City or County Board of Health in accordance with the laws of the state.

(K.S.A. 12-617e, 12-167g)

**§ 15-418 DAMAGE TO SEWERS.**

 It shall be unlawful for any unauthorized person to maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any sewer, structure, appurtenance or equipment which is part of the municipal sewer system.

**Sewers**

**§ 15-419 NATURAL OUTLET.**

 It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any sanitary sewage, industrial wastes or other polluted waters except where suitable treatment has been provided in accordance with the provisions of this article.

**§ 15-420 STANDARDS.**

 The size, slope, alignment, materials, excavation, placing of pipe, jointing, testing and backfilling shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city.

**§ 15-421 OLD BUILDING SEWERS.**

 Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Utility Superintendent, to meet all requirements of this article.

**§ 15-422 RESERVED.**

**§ 15-423 ROOF, FOUNDATION DRAINS.**

1. It shall be unlawful to connect downspouts from any roof area, drains from any building foundation, paved areas, yards or open courts, or to discharge liquid waste from any air conditioning unit or cooling device having a capacity in excess of one ton per hour or one horsepower into any city sanitary sewer.
2. All discharges prohibited in division (a) above may be discharged into the public gutter or storm drains or open drainage ditches provided such discharge does not create a nuisance. No such liquids may be discharged into any unpaved street or alley.

**§ 15-424 SAME; EXCEPTION.**

 Discharge from air conditioning units in excess of one ton per hour or one horsepower may be permitted into a building sewer upon approval of the Utility Superintendent where there is a finding that

such cooling water cannot be recirculated and that such waste water does not overload the capacity of the sewer or interfere with the effective operation of the sewage disposal works of the city.

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**§ 15-425 PROHIBITED DISCHARGES.**

No person shall discharge any of the following waters or wastes to any public sewer:

1. Liquid or vapor having a temperature higher than 150° F.
2. Water or waste that may contain more than 100 parts per million, by weight, or fat, oil or grease;
3. Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
4. Garbage that has not been properly shredded;
5. Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
6. Waters or wastes having a ph lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
7. Waters or wastes containing a toxic poisonous substance in sufficient quantity to injury or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
8. Water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant; and
9. Noxious or malodorous gas or substance capable of creating a public nuisance.

**§ 15-426 BILLS.**

1. Bills shall be rendered monthly as provided in §15-209 and shall be collected and paid in the same manner as water bills are now collected and paid to the city.
2. Any person at the time of beginning or terminating service who receives service for a period of less than 17 consecutive days shall be billed at no less than one-half of the regular minimum monthly rate. For service of 17 consecutive days or more the charge shall be not less than full regular minimum monthly rate.

(Ord. 293, passed 1-18-2017)

**Sewers**

**§ 15-427 DELINQUENT ACCOUNTS; LIEN AGAINST PROPERTY; OTHER REMEDIES.**

 In the event any person, firm, corporation, or organization operating or living on premises connected to a sanitary sewer shall neglect, fail or refuse to pay the service charges as provided in § 15-428, such charges shall constitute a lien upon the real estate served by the collection of the sewer, and such charges shall be certified by the City Clerk to the County Clerk, to be placed on the tax rolls for collection, subject to the same penalties and collected in like manner as other taxes are by law collectible.

(Ord. 293, passed 1-18-2017)

**§ 15-428 SEWER SERVICE CHARGE.**

1. There is hereby established a sewage service charge in the city (including all within the sewer district), to be paid to such city for the use of sewage disposal system of said city, by all persons, firms, corporations, the United States of America, the state, and its political subdivisions and any organization whose premises are connected to or may be hereafter be connected to the sanitary sewer system of said city.
2. The rates of service charges to be paid to the city for the use of sewage disposal system of said city, to be payable monthly for each month or fraction thereof, shall be as follows:
3. For each single-family residence: $15.40 per hook-up charge;
4. For each retail and commercial place of business and for each church: $15.40 per hook-up charge;
5. For the Western Plains North building: $154 each (pre-determined ten hook-ups);
6. For Grisell Memorial Hospital and Rhode Island Suites: $277.20 each (pre-determined 18 hook-ups each);
7. For Grisell Rural Health Clinic: $15.40 per hook-up charge; and
8. For each sewer hook-up outside city limits: $17.40 per hook-up charge.
9. A portion of the total user charge collected which is designated for operation and maintenance including replacement purposes shall be deposited in separate fuds known as Sewer Fund and Sewer Reserve Fund. These funds will have two primary purposes:
10. An Account designated for the specific purpose of defraying operation and maintenance cost, excluding replacement of the treatment works (Sewer Fund); and

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1. An account designated for the specific purpose on insuring replacement needs over the useful life of the sewer treatment works (Sewer Reserve Fund).

(Ord. 293, passed 1-18-2017)

**ARTICLE 5: SOLID WASTE**

Section

 15-501 Definitions

 15-502 Collections

 15-503 Contracts

 15-504 Duty of owner, occupant

 15-505 Containers

 15-506 Bulk containers

 15-507 Enter private premises

 15-508 Ownership of solid waste

 15-509 Wrapping garbage

 15-510 Heavy, bulky waste

 15-511 Hazardous materials

 15-512 Prohibited practices

 15-513 Objectionable waste

 15-514 Unauthorized disposal

 15-515 Reserved

 15-516 Reserved

 15-517 Reserved

 15-518 Reserved

 15-519 Reserved

 15-520 Reserved

 15-521 Reserved

 15-522 Charges

 15-523 Same; fee schedule

 15-524 Billing

 15-525 Same; delinquent account

**§ 15-501 DEFINITIONS.**

 For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

 ***COMMERCIAL WASTE.*** All refuse emanating from establishments engaged in business including, but not limited to, stores, markets, office buildings, restaurants, shopping centers, theaters, hospitals, governments and nursing homes.

 ***DWELLING UNIT.*** Any enclosure, building, or portion thereof occupied by one or more persons for and as living quarters.

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 ***GARBAGE.*** Waste resulting from the handling, processing, storage, packaging, preparation sale, cooking and serving of meat, produce and other foods and shall include unclean containers.

 ***MULTI-FAMILY UNIT.*** Any structure containing more than four individual dwelling units.

 ***REFUSE.*** All garbage and/or rubbish or trash.

 ***RESIDENTIAL.*** Any structure containing four or fewer individual dwelling units, rooming houses having no more than four persons in addition to the family of the owner or operator, and mobile homes.

 ***RUBBISH*** or ***TRASH.*** All nonputrescible materials such as paper, tin cans, bottles, glass, crockery, rags, ashes, law and tree trimmings, stumps, boxes, wood, street sweepings and mineral refuse. ***RUBBISH*** or ***TRASH*** shall not include earth and waste from building operations or wastes from industrial processes or manufacturing operations.

 ***SINGLE-DWELLING UNIT.*** An enclosure, building, or portion thereof occupied by one family as living quarters.

 ***SOLID WASTE.*** All non-liquid garbage, rubbish or trash.

**§ 15-502 COLLECTION.**

 All sold waste accumulated within the city shall be collected, conveyed and disposed of by the city or by contractors specifically authorized to collect and dispose of solid waste.

**§ 15-503 CONTRACTS.**

The city shall have the right to enter into a contract with any responsible person for collection and disposal of solid waste.

**§ 15-504 DUTY OF OWNER, OCCUPANT.**

 The owner or occupant of every dwelling unit or commercial enterprise shall provide at his or her own expense a suitable container for the storage of solid waste as provided in this article. No owner or occupant shall permit to accumulate quantities or refuse or other waste materials within or close to any structure within the city unless the same is stored in approved containers and in such a manner as not to create a health or fire hazard.

**Solid Waste**

**§ 15-505 CONTAINERS.**

 Residential containers shall be supplied y the city at a charge.

**§ 15-506 BULK CONTAINERS.**

 **Reserved**

**§ 15-507 ENTER PRIVATE PREMISES.**

 Solid waste collectors, employed by the city or operating under contract with the city, are hereby authorized to enter in and upon private property for the purpose of collecting sold waste therefrom as required by this article.

**§ 15-508 OWNERSHIP OF SOLID WASTE.**

 Ownership of solid waste when placed in containers by the occupants or owners of premises upon which refuse accumulates, shall be vested in the city and thereafter shall be subject to the exclusive control of the city, its employees or contractors. No person shall meddle with refuse containers or in anyway pilfer or scatter contents thereof in any alley or street within the city.

**§ 15-509 WRAPPING GARBAGE.**

 **Reserved**

**§ 15-510 HEAVY, BULKY WASTE.**

 Heavy accumulations such as brush, tree limbs, broken concrete, sand or gravel, automobile frames, dead trees and other bulky, heavy materials shall be disposed of at the expense of the owner or person controlling same.

**§ 15-511 HAZARDOUS MATERIALS.**

1. No person shall deposit in a solid waste container or otherwise offer for collection any hazardous garbage, refuse or waste.
2. Hazardous material shall include:
3. Explosive materials;
4. Rags or other waste soaked in volatile and flammable materials;
5. Chemicals;

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1. Poisons;
2. Radio-active materials;
3. Highly combustible materials;
4. Soiled dressings, clothing, bedding and/or wastes, contaminated by infection or contagious disease; and
5. Any other materials that may present a special hazard to collection or disposal personnel, equipment, or to the public.

**§ 15-512 PROHIBITED PRACTICES.**

 It shall be unlawful for any person to:

1. Deposit solid waste in any container other than that owned or leased by him or her or under his or her control without written consent of the owner and/or with the intent of avoiding payment of the refuse service charge;
2. Interfere in any manner with employees of the city or its contractors in the collection of solid waste;
3. Burn solid waste excerpt in an approved incinerator and unless a variance has been granted and a written permit obtained from the city or the appropriate air pollution control agency; and
4. Bury refuse at any place within the city except that lawn and garden trimmings may be composted.

**§ 15-513 OBJECTIONABLE WASTE.**

 Manure from cow lots, stables, poultry yards, pigeon lofts and other animal or fowl pens, and waste oils from garages or filling stations shall be removed and disposed of at the expense of the person controlling the same and in a manner consistent with this article.

**§ 15-514 UNAUTHORIZED DISPOSAL.**

 No person shall haul or cause to be hauled any garbage, refuse or other waste material of any kind to any place, site or area within or without the limits of the city unless such site is a sanitary landfill, transfer point or disposal facility approved by the State Department of Health and Environment.

**Sewers**

**§ 15-515 RESERVED.**

**§ 15-516 RESERVED.**

**§ 15-517 RESERVED.**

**§ 15-518 RESERVED.**

**§ 15-519 RESERVED.**

**§ 15-520 RESERVED.**

**§ 15-521 RESERVED.**

**§ 15-522 CHARGES.**

 The city shall establish and collect a service charge to defray the cost and maintenance of the collection and disposition of solid waste within the city.

**§ 15-523 SAME; FEE SCHEDULE.**

 The rates per month, to all recipients of trash services furnished by the city, to be payable monthly for each month or fraction thereof, shall be as follows: $17.32 per user, per month.

(Ord. 290, passed 4-16-2015)

**§ 15-524 BILLING. RESERVED**

**§ 15-525 SAME; DELINQUENT ACCOUNT.**

In the event the owner or occupant of any property shall fail to pay the solid waste bills within 60 days following the date upon which it becomes due, the City Clerk shall annually certify such unpaid bills to the County Clerk as a lien upon the property. The lien shall be collected subject to the same regulations and penalties as other property taxes are collected.

(K.S.A. 65-3410)

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**ARTICLE 6: WATER CONSERVATION**

Section

 15-601 Purpose

 15-602 Definitions

 15-603 Declaration of a water watch

 15-604 Declaration of water warning

 15-605 Declaration of water emergency

 15-606 Voluntary conservation measures

 15-607 Mandatory conservation measures

 15-608 Emergency water rates

 15-609 Regulations

 15-610 Violations, disconnections and penalties

 15-611 Emergency termination

 15-612 Severability

**§ 15-601 PURPOSE.**

 The purpose of this article is to provide for the declaration of a water supply watch, warning or emergency and the implementation of voluntary and mandatory water conservation measures throughout the city in the event such a watch, warning or emergency is declared.

(Ord. 262, passed 4-21-2004)

**§ 15-602 DEFINITIONS.**

 For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

 ***CUSTOMER.*** The customer of record using water for any purpose from the city’s water distribution system and for which either a regular charge is made or, in the case of coin sales, a cash charge is made at the site of delivery.

 ***WASTE OF WATER.*** Includes, but is not limited to:

1. Permitting water to escape down a gutter, ditch or other surface drain; or
2. Failure to repair a controllable leak of water due to defective plumbing.

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 ***WATER.***

1. Water available to the city for treatment by virtue of its water rights or any treated water introduced by the city into its water distribution system, including water offered for sale at any coin-operated site.
2. The following classes of uses of water are established.
3. ***CLASS I.*** Water used for outdoor watering, either public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools or other recreational areas; or the washing of motor vehicles, boats, trailers or the exterior of any building or structure.
4. ***CLASS 2.*** Water used for any commercial or industrial, including agricultural purposes, except water actually necessary to maintain the health and personal hygiene of bona fide employees while such employees are engaged in the performance of their duties at their place of employment.
5. ***CLASS 3.*** Domestic usage, other than that which would be included in either Classes 1 or 2.
6. ***CLASS 4.*** Water necessary only to sustain human life and the lives of domestic pets and maintain standards of hygiene and sanitation.

(Ord. 262, passed 4-21-2004)

**§ 15-603 DECLARATION OF A WATER WATCH.**

 Whenever the governing body of the city finds that conditions indicate that the probability of a drought or some other condition causing a major water supply shortage is rising, it shall be empowered to declare, by resolution, that a water watch exists and that it shall take steps to inform the public and ask for voluntary reductions in water use. Such a watch shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water watch shall be effective upon their publication in the official city newspaper.

(Ord. 262, passed 4-21-2004)

**§ 15-604 DECLARATION OF WATER WARNING.**

 Whenever the governing body of the city finds that drought conditions or some other condition causing a major water supply shortage are present and supplies are starting to decline, it shall be empowered to declare by resolution that a water warning exists and that it will recommend restrictions on nonessential uses during the period of warning. Such a warning shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the beginning and ending of the water warning shall be effective upon their publication in the official city newspaper.

(Ord. 262, passed 4-21-2004)

**Water Conservation**

**§ 15-605 DECLARATION OF WATER EMERGENCY.**

 Whenever the governing body of the city finds that an emergency exists by reason of a shortage of water supply needed for essential uses, it shall be empowered to declare by resolution that a water supply emergency exists and that it will impose mandatory restrictions on water use during the period of the emergency. Such an emergency shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water supply emergency shall be effective upon their publication in the official city newspaper.

(Ord. 262, passed 4-21-2004)

**§ 15-606 VOLUNTARY CONSERVATION MEASURES.**

 Upon the declaration of a water watch or water warning as provided in §§ 15-603 and 15-604, the Mayor is authorized to call on all water consumers to employ voluntary water conservation measures to limit or eliminate nonessential water uses including, but not limited to, limitations on the following uses:

1. Class 1 uses of water; and
2. Waste of water.

(Ord. 262, passed 4-21-2004)

**§ 15-607 MANDATORY CONSEVATION MEASURES.**

 Upon the declaration of a water supply emergency as provided in § 15-605, the Mayor is also authorized to implement certain mandatory water conservation measures, including, but not limited to, the following:

1. Suspension of new connection to the city’s water distribution system, except connections of fire hydrants and those made pursuant to agreements entered into by the city prior to the effective date of the declaration of the emergency;
2. Restrictions on the uses of water in one or more classes of water use, wholly or in part;
3. Restriction on the sales of water at coin-operated facilities or sites;
4. The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita on per consumer restrictions;
5. Complete or partial bans on the waste of water; and
6. Any combination of the foregoing measures.

(Ord. 262, passed 4-21-2004)

**Ransom – Utilities**

**§ 15-608 EMERGENCY WATER RATES.**

1. Upon the declaration of a water supply emergency as provided in § 15-605, the governing body of the city shall have the power to adopt emergency water rates by ordinance designed to conserve water supplies.
2. Such emergency rates may provide for, but are not limited to:
3. Higher charges for increasing usage per unit of use (increasing block rates);
4. Uniform charges for water usage per unit of use (uniform unit rate); or
5. Extra charges in excess of a specified level of water use (excess demand surcharge).

(Ord. 262, passed 4-21-2004)

**§ 15-609 REGULATIONS.**

 During the effective period of any water supply emergency as provided for in § 15-605, the Mayor (or Water Superintendent) is empowered to promulgate such regulations as may be necessary to carry out the provisions of this article, any water supply emergency resolution, or emergency water rate ordinance. Such regulations shall be subject to the approval of the governing body at its next regular or special meeting.

(Ord. 262, passed 4-21-2004)

**§ 15-610 VIOLATIONS, DISCONNECTIONS AND PENALTIES.**

1. If the Mayor, City Manager, Water Superintendent or other city official or officials charged with implementation and enforcement of this article or a water supply emergency resolution learn of any violation of any water use restrictions imposed pursuant to §§ 15-607 or 15-609 of this article, a written notice of the violation shall be affixed to the property where the violation occurred and the customer of record or any other person known to the city who is responsible for the violation or its correction shall be provided with either actual or mailed notice. Said notice shall describe the violation and order that it be corrected, cured or abated immediately or within such specified time as the city determines is reasonable under the circumstances. If the order is not complied with, the city may terminate water service to the customer subject to the following procedures:
2. The city shall give the customer notice by mail or actual notice that water service will be

discontinued within a specified time due to the violation and that the customer will have the opportunity to appeal the termination by requesting a hearing scheduled before the city governing body or a city official designated as a hearing officer by the governing body;

**Water Conservation**

1. If such a hearing is requested by the customer charged with the violation, he or she shall be given a full opportunity to be heard before termination is ordered; and
2. The governing body or hearing officer shall make findings of fact and order whether service should continue or be terminated.
3. A fee of $50 shall be paid for the reconnection of any water service terminated pursuant to division (a) above. In the event of subsequent violations, the reconnection fee shall be $200 for the second reconnection and $300 for any additional reconnections.
4. Violations of this article shall be a municipal offense and may be prosecuted in Municipal Court. Any person so charged and found guilty in Municipal Court of violating the provisions of this article shall be guilty of a municipal offense. Each days violation shall constitute a separate offense. The penalty for an initial violation shall be a mandatory fine of $100. In addition, such customer may be required by the Court to serve a definite term of confinement in the city or county jail which shall be fixed by the Court and which shall not exceed 30 days. The penalty for a second or subsequent conviction shall be a mandatory fine of $200. In addition, such customer shall serve a definite term of confinement in the city or county jail which shall be fixed by the Court and which shall not exceed 30 days.

(Ord. 262, passed 4-21-2004)

**§ 15-611 EMERGENCY TERMINATION.**

 Nothing in this article shall limit the ability of any properly authorized city official from terminating the supply of water to any or all customers upon the determination of such city official that emergency termination of water service is required to protect the health and safety of the public.

(Ord. 262, passed 4-21-2004)

**§ 15-612 SEVERABILITY.**

 If any provision of this article is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the article and its applicability to other persons and circumstances shall not be affected thereby.

(Ord. 262, passed 4-21-2004)

**Ransom – Utilities**

**ARTICLE 7: WATER WELL CONSTRUCTION**

Section

15-701 Purpose

28-30-2 Definitions

28-30-3 Licensing

28-30-4 General operating requirements

28-30-5 Construction regulations for public water-supply wells

28-30-6 Construction regulations for all water wells not included under K.A.R. 28-30-5

28-30-7 Plugging abandoned wells, cased and uncased test holes

28-30-8 Pollution sources

28-30-9 Appeals

28-9-10 Water well disinfection for wells constructed

28-30-200 Definitions

28-30-201 Plugging operations; notification; report

28-30-202 Plugging operations for an abandoned well or borehole; responsivity

28-30-203 Annular space grouting procedures

28-30-204 Inactive well; application; construction and extension

27-30-205 Disinfection of an abandoned water well or borehole

27-30-206 Administrative appeal to the board

28-30-207 Variance; extension of time

**Ransom - Utilities**

**§ 15-701 Purpose**

 The purpose of this article is to provide for the declaration of a water well construction. The City of Ransom shall adopt the Kansas Department of Health and Environment Article 30 with the following revisions being made:

 Article 28-30-8 Pollution Sources

1. Shall be revised to read seventy-five (75) feet or more as deemed by the governing body.
2. No revisions
3. Shall be revised to read thirty-five (35) feet or more as deemed by the governing body.
4. Shall be revised to read fifty (50) feet or more as deemed by the governing body.

D-1 Reserved

D-2 Reserved

(Ord. 297, passed 7-25-2018)