

ORDINANCE NO. 2023

AN ORDINANCE AMENDING CHAPTER XV, ARTICLE 1 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO INCLUDE SECTION 15-134 REGARDING HYDRANT WATER METERS AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

SECTION 1. Chapter XV, Article 1, Section 15-134 of the City Code of the City of Edgerton, Kansas, is hereby amended to read as follows:

15-134 HYDRANT METERS.

- (a) Request. When temporary water service is desired by contractors, builders or any other party for the purchase of water to be used for construction work or some other city approved purpose, the requesting party shall submit an Application for Hydrant Meter to the City. Should the City approve this use, the requesting party shall pay a refundable hydrant meter deposit in the amount listed in the City's Annual Fee Resolution prior to receipt of the meter.
- (b) Meter. Receipt of a hydrant meter shall allow the party to connect to a City hydrant for a defined period of time, subject to the limitations listed in (d) below. The City may require that connection of the meter to the City hydrant involve the assistance of City staff. A hydrant meter shall be returned in the same condition it was in when the City provided it to the requesting party, normal wear and tear excepted. Failure to return the meter, or damage to the meter, shall result in a setoff of the deposit or retention of the entire deposit, when applicable. The cost of repairs to the meter shall be established by the City's Annual Fee Resolution. In the event a cost is not covered by that Resolution, the fee shall be the actual cost to repair, plus ten percent.
- (c) Water Rate. The rate charged by the City for water provided from a hydrant meter shall be composed of the customer service charge (based on meter size) and the base tier volumetric rate, regardless of the amount of water used, charged to customers outside the corporate limits of the City as designated in the City's Annual Fee Resolution.
- (d) Emergency Use by City or Fire District. By filing an Application for Hydrant Meter and receiving a hydrant meter from the City, the requesting party is acknowledging and accepting that in the event the hydrant to which they are connected is needed for emergency or city or fire district purposes, both parties need for, and right to, water shall supersede that of the party possessing the hydrant meter.
- (e) Violation to Use Without Meter. It shall be a violation of the City Code to use water from a City hydrant, or any other source, without that water being measured by a meter furnished by the City.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or sections of ordinances in conflict herewith are hereby repealed.

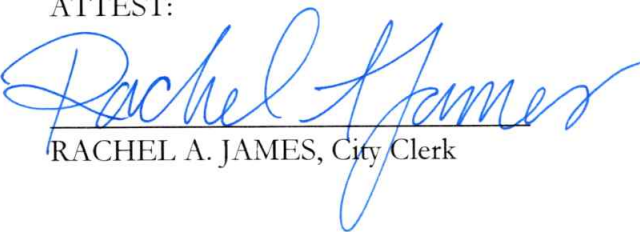
SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval and publication once in the City's official paper.

PASSED by the Council and APPROVED by the Mayor on this 22nd day of August, 2019.



DONALD ROBERTS, Mayor

ATTEST:



RACHEL A. JAMES, City Clerk



APPROVED AS TO FORM:



LEE W. HENDRICKS, City Attorney