

CHAPTER 1 UTILITY SYSTEM

1.01 DEFINITIONS. The following terms are defined for use in the chapters in this Book of Policies and Procedures pertaining to the Utility Service System:

1. **Customer or Consumer.** Means, in addition to any person receiving utility service from the City, the owner of the property served, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.
2. **Superintendent.** The Public Works Director, Waste Water and Water Superintendent of the City or any duly authorized assistant, agent or representative.
3. **Water Main.** A water supply pipe provided for public or community use.
4. **Water Service Line.** The pipe from the water main to the building served.
5. **Water System or Water Works.** All public facilities for securing, collecting, storing, pumping, treating and distributing water.
6. **Plumber.** An individual who possess the skills and abilities necessary to complete the project.

1.02 SUPERINTENDENT'S DUTIES. The Superintendent shall supervise the installation of water service lines, waste water and storm sewer and their connection and enforce all regulations pertaining to utility services in the City in accordance with this chapter. This chapter shall apply to all replacements of existing service lines as well as to new ones. The Superintendent shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the utility system, subject to the approval of the Utility Board. In the event of an emergency a Superintendent may make temporary rules for the protection of the system until due consideration by the Board may be had.

1.03 MANDATORY CONNECTIONS. All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water system, if it is reasonably available and if the building is not furnished with pure and wholesome water from some other source.

1.04 ABANDONED CONNECTIONS. When an existing water service is abandoned or a service is renewed with a new tap in the main, all abandoned connections with the mains shall be turned off at the corporation stop and made absolutely watertight.

1.05 PLUMBER REQUIRED. All installations of utility service pipes and connections to the utility system shall be made by a plumber.

1.06 SERVICE LINES. The service line is owned by the consumer who will pay all costs of installation, repair, or replacement; however, the line is at all times under the control of the Board. The consumer is charged with responsibility of keeping the service line from the main to the building served and all required controls in serviceable condition free from leaks. Should leaks develop or the line become impaired in any manner immediate repairs must be made. Should it be found that a service line does not provide curb stop or stop and waste valve, consumer will install such valves. Should a service line serve more than one consumer, separate curb stops must be provided so each consumer may be separately cut off, or the Board may require separate service lines. If the Board orders the installation of any service line, the cost will be borne by the consumer.

1. **Materials and Specifications.** Material and workmanship in new lines or in the repair or replacement of old lines must be approved. New service lines shall be laid four and one-half feet (4 ½') deep, of type K copper with approved type corporation cock, curb stop and box placed on a solid foundation within twelve inches (12") of the street side of the walk line, flush with the surface, a stop and waste valve ahead of meter, and a meter loop which is readily accessible for meter reading or inspection. The curb stop on new lines must be closed and remain closed until consumer has complied with all requirements for meter installation.
2. **Failure to Maintain.** If a consumer fails to correct any condition in the line set out above, or which the Board deems necessary, immediately upon being notified of the conditions to be corrected, the Board will cause such corrections to be made and the cost thereof added to the service account. If not paid promptly such costs will be certified to the County Treasurer for collection with taxes against property involved.

1.07 INSPECTION AND APPROVAL. All water service pipes and their connections to the water system must be inspected and approved in writing by the Superintendent before they are covered, and the Superintendent shall keep a record of such approvals. If the Superintendent refuses to approve the work, the plumber or property owner must proceed immediately to correct the work. Every person who uses or intends to use the municipal water system shall permit the Superintendent to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority.

1.08 COMPLETION BY THE CITY. Should any excavation be left open or only partly refilled for twenty-four (24) hours after the water service pipe is installed and connected with the water system, or should the work be improperly done, the Superintendent shall have the right to finish or correct the work, and the Board shall assess the costs to the property owner or the plumber. If the plumber is assessed, the plumber must pay the costs before receiving another permit. If the property owner is assessed, such assessment may be collected with and in the same manner as general property taxes.

(Code of Iowa, Sec. 364. 12[3a & h])

1.09 CURB STOPS. In the event of a curb stop being repaired, replaced and/or installed new or when a mobile home or modular home is moved into a lot, the curb stop shall be located outside

of the building and accessible to City personnel. The curb stop may not be buried under, concrete, rock, asphalt, soil, vegetation or any other item that may cause maintenance problems.

In a case where the curb stop is broken and the customer refuses to make the repairs the City can repair or replace the curb stop or hire a contractor to do the work. Once the repairs are made the water will be shut off until the bill is current and arrangements have been made to pay all repair costs, or a lien is placed. Except in an emergency, to prevent waste or damage, curb stops are not to be opened or closed without authority from the Board or Water Plant Personnel.

All residential buildings that receive water service are required to have at least one curb stop. If, at any time, the city discovers that a curb stop is non-existent, the customer is under obligation to install one. If this is not completed, the city may perform the work, or hire a contractor, and bill the customer for the installation. The same payment arrangements, as in the above paragraph, must be met before service is continued.

1.10 INTERIOR VALVE. There shall be installed a shut-off valve on every service pipe inside the building as close to the entrance of the pipe within the building as possible and so located that the water can be shut off conveniently. Where one service pipe supplies more than one customer within the building, there shall be separate valves for each such customer so that service may be shut off for one without interfering with service to the others.

1.11 WATER MAINS. Water mains shall not be tapped or opened under any circumstances without written authority from the Board or Water Plant Personnel. Such authority may be granted to consumers upon application and payment of required fees as fixed by the Board. Taps into other than cast iron mains must be made only by experience plumbers and consumer will be responsible therefore. Material and workmanship in new lines or in the repair or replacement of old lines must be approved.

1. **Street Valves.** Street valves are not to be closed or opened without authority, except in emergency to prevent damage or waste, and then such action must be reported immediately.
2. **Extensions.** Extension of water mains at City expense may be made at the City's sole discretion to consumers within the City taxing limits (except for subdivisions platted after 1995), but extensions shall not be made which serve less than three (3) new consumers or which the distance involved exceeds one hundred feet (100') for each new consumer. The real estate must be properly zoned for the intended use. If the new consumers are not in existence at the time the extension is made then copies of non-revocable contracts and/or leases must be presented to the City by the party requesting the extension showing that 80% of the consumers will be in existence within twenty-four (24) months after completion of the extension. If 80% of the consumers are not in existence within twenty-four months then the party requesting the extension shall reimburse the City the full cost of making the extension. For extensions of mains to new subdivisions see chapter 122. Water mains shall not be laid in the same trench with sewers, nor in any case within five feet (5') of any sewer.

Whether an extension shall be made at City expense shall be determined according to the circumstances of each case.

3. **Mapping.** All taps and main installations must be mapped and as-built drawings submitted to the city prior to acceptance.
4. **Taps.** Water mains smaller than six inches shall not have a tap larger than three-fourths ($\frac{3}{4}$) of an inch. Water mains larger than six inches shall not have a tap larger than 1 inch unless a saddle is used. If a service larger than one inch is needed, the taps may be yoked together.
5. **Tracer Wire.** All non-metallic water mains must have an insulated tracer wire buried with it, prior to city acceptance.

1.12 FIRE HYDRANTS. Maintenance and repair, removal, or installation of additional fire hydrants shall be made by the Board, but the cost shall be repaid to the Board from fire maintenance funds. No person shall obstruct or tamper with fire hydrants under any circumstances, and hydrants shall not be opened by any person without authority from the Board, except the Fire Department in case of emergency or for training purposes.

1.13 INTERRUPTION OF SERVICE. The municipality shall make all reasonable efforts to eliminate interruption of service, and when such interruptions occur, will endeavor to re-establish service with the shortest possible delay. Whenever the service is interrupted for the purpose of working on the distribution system or the station equipment, all consumers affected by such interruption will be notified in advance whenever it is possible to do so.

1.14 LIABILITY FOR INTERRUPTION OF SERVICE. The municipality shall in no event be held responsible for any interruption of the supply of water. No person shall be entitled to damages nor have any portion of a payment refunded for any interruption of service.

1.15 CHECK VALVES ON BOILERS AND/OR PRESSURE VESSELS. Customers having boilers and/or pressure vessels receiving a supply of water from the municipality must have a check valve on the water supply line and a vacuum valve on the streamline to prevent collapse in case the water supply from the municipality is discontinued or interrupted for any reason, with or without notice. All buried water systems must have a back flow prevention mechanism installed with the system.

1.16 BELOW GROUND IRRIGATION SYSTEMS. All below ground irrigation systems must be installed with backflow preventer, approved by the Water Superintendent.

1.17 DAMAGE TO CITY PROPERTY. If any loss or damage to the property of the municipality or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the customer, member of his household, his agent or employee, the cost of the necessary repairs or replacements shall be paid by the customer to the municipality and any liability otherwise resulting shall be that of the customer.

1.18 CITY OWNED FACILITIES. The Board will supply water to City owned facilities but reserves the right to make a charge in the event of considerable usage or carelessness, and to cut service to any City outlet where needed repairs are not promptly made.

1.19 RIGHT-OF-WAY EASEMENT. The City shall have a permanent easement and right-of-way across any property owned or controlled by the customer wherever said easement or right-of-way is necessary for the municipal water facilities and lines, so as to be able to furnish service to the customer.

1.20 BUSINESS OFFICE. All money due, all requests, reports, application, or inquires pertaining to the water supply will be received at the Clerk's office in City Hall.

CHAPTER 2 WATER METERS

2.01 PURPOSE. The purpose of this chapter is to encourage the conservation of water and facilitate the equitable distribution of charges for water service among customers.

2.02 WATER USE METERED. All water furnished customers shall be measured through meters furnished by the City and installed by the City.

2.03 FIRE SPRINKLER SYSTEMS; EXCEPTION. Fire sprinkler systems may be connected to water mains by direct connection without meters under the direct supervision of the Superintendent and in accordance with the Plumbing Code. No open connection can be incorporated in the system, and there shall be no valves except a main control valve at the entrance to the building, which must be sealed open.

2.04 LOCATION OF METERS. All meters must be installed near a floor drain and shall be so located that they are easily accessible to meter readers and repairmen and protected from freezing.

2.05 METER SETTING. The property owner shall provide all necessary piping and fittings for proper setting of the meter including a valve on the discharge side of the meter. Meter pits may be used only upon approval of the Superintendent and shall be of a design and construction approved by the Superintendent. Consumers shall not alter a meter installation or tamper with meters in any manner.

2.06 METER COSTS.

1. **Meter Costs.** The property owner of a new water account must purchase a meter and remote reading device and pay for its installation. The type and installation of the meter shall be in accordance with the Superintendent's directives. The City shall retain ownership of the meter and shall have the right to inspect said meter from time to time to insure proper operation of the meter and to check for illegal bypassing of any other meter in the premises.
2. **Installation Fee.** The property owner shall pay a fee, set by the Utility Board through Resolution, when requesting that a meter be installed or removed and is not broken.
3. **Deposit.** Before a meter will be installed, application must be made and a deposit paid as the Board of Trustees may require. Deposits will be required of consumers making first application, moving to a new location, or upon restoration of the service, which has been cut off for nonpayment. The amount of the deposit shall be, from time to time fixed by the Utility Board by resolution.

2.07 UNREADABLE METER. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed for billing purpose will be based upon an average of the prior two (2) months consumption, and the conditions of water service prevailing during the period in which the meter failed to register.

2.08 METER REPAIRS. Whenever a water meter owned by the City is found to be out of order the Superintendent shall have it repaired. If it is found that damage to the meter has occurred due to the carelessness or negligence of the customer or property owner, which includes damage from freezing, then the property owner shall be liable for the cost of repairs.

2.09 JUMPER WIRE. All water services must have a jumper wire installed to ground the water service when the water meter is removed for testing or maintenance. The use of the water service as a primary ground for electrical, telephone, cable TV or other systems is prohibited. In the event the water system is installed using plastic or PVC pipe materials, neither primary nor secondary grounding is required.

2.10 RIGHT OF ENTRY. The Superintendent shall be permitted to enter the premises of any customer at any reasonable time to read, remove, or change a meter.

2.11 METER TESTING. In case there is doubt on the part of the customer as to the accuracy of a water meter, such customer may have the meter tested by the Water Department, at which test the customer may be present or have a representative present. If the meter is found to register within two percent (2%) of being correct, a charge, set by the Utility Board through Resolution, will be made to pay for a part of the labor for making such tests. If the meter is found to measure incorrectly more than two percent, no charge shall be made for making the test. If the meter should be found to over-register more than two percent, there shall be a proportional deduction made from the previous water bill. A water meter shall be considered to register satisfactorily when it registers within two percent of accuracy. Customers requesting inspection by City employees of premises because of an excessive water bill may be required to pay a fee, except that if the water meter is at fault, there would be no fee.

2.12 SEPARATE WATER METER. A separate additional meter may be installed for the purpose of measuring water usage outside a residence or business when such water is not discharged into the public sewer system. The property owner must purchase the additional meter and remote reading device and pay for its installation. The installation of the meter shall be accordance with the Superintendent's directives. The City shall retain ownership of the meter and shall have the right to inspect said meter from time to time to insure proper operation of the meter and to check for illegal bypassing of any other meter in the premises. All water measured through the additional meter shall be exempt from sewer service charges.

2.13 METER BYPASS. Meters one inch or larger in size shall have a bypass line, with a lockable valve sealed by the Water Department, in order to prevent disruption of the water service when, maintenance or testing is in process.

CHAPTER 3 UTILITY RATES

3.01 SERVICE CHARGES. Each customer shall pay for utility services provided by the Utility Board based upon use of water and sewer as determined by meters provided for in Chapter 2. Each location, building, premises or connections shall be considered a separate and distinct customer whether owned or controlled by the same person or not.
(Code of Iowa, Sec. 384.84)

3.02 RATES FOR SERVICE. Utility service shall be furnished at rates set by the Utility Board, through resolution.

3.03 BILLING FOR UTILITY SERVICE. Bills and notices relating to the conduct of the business of the municipality will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the municipality; and the municipality shall not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from nonpayment of a bill or from any performance required in said notice.

1. **Bills Payable.** Bills for utility service are due and payable at City Hall on their date of issue. The past due date shall be the fifteenth (15th) day after the date of issue. Bills will be dated and mailed on the first of each month.
2. **Late Payment Penalty.** A late payment penalty, set by the Utility Board through Resolution, of the amount due shall be added to each delinquent bill per month.

3.04 DELINQUENT ACCOUNTS. All bills not paid on or before the past due date shall be termed delinquent. If a delinquent bill is not paid within five (5) days after due date, a disconnect notice will be mailed to the delinquent account holder's home notifying them of disconnection within 3-4 days. A \$15.00 delinquent account processing fee, set by the Utility Board through Resolution, will be applied to the account.

3.05 HANDLING DELINQUENT ACCOUNTS. The Board may take any or all of the following courses of action if the account for water service becomes delinquent:

1. The Board may discontinue water service to the property for which the account is delinquent; provided that the above procedures are followed (see 3.03 and 3.04). If the account holder is a tenant, and if the owner or landlord of the property has made a written request for notice, the same notice shall also be given in the same manner as required to be given to the account holder.
2. The City may take legal action to collect the amount due.
3. The City may certify to the County Treasurer the amount of the delinquent account, which shall become a lien on the property if written notice has been sent by mail to

the account holder at least thirty (30) days prior to certification of the lien to the County Treasurer. The notice shall state the intention of the City to certify to the County Treasurer the amount of the delinquent account, and inform the account holder of the opportunity to pay the entire bill before it is certified to the County Treasurer.

3.06 DISCONTINUANCE OF SERVICE. Application may be cancelled and/or water service discontinued by the municipality for any violation of any rule, regulation or condition of service, and especially for any of the following reasons:

1. Misrepresentation in the application as to the property or fixtures to be supplied or use to be made of water.
2. Failure to report to the municipality addition to the property or fixtures to the supplies or additional use to be made of water.
3. Resale or giving away of water.
4. Waste or misuse of water due to improper or imperfect service pipes, and/or fixtures, or failure to keep same in suitable state or repair.
5. Tampering with meter, meter seal, service, or valves, or permitting such tampering by others.
6. Connection, cross-connection, or permitting same, of any separate water supply to premises which receive water from the municipality.
7. Non-payment of bills.
8. Returned checks.

3.07 RESIDENTIAL RENTAL PROPERTY. For residential rental property where a charge for water services is separately metered and paid directly by the tenant, the rental property is exempt from a lien for delinquent charges.

Landowners of residential rental property must do one of the following things for each water bill associated with the rental property; 1) provide a separate curb stop and service line for each water bill, regardless of the number of residential units being rented; or 2) provide the City with a signed letter of understanding that states that in the event that one, or more, account(s) in a complex with only one curb shut off becomes delinquent, the entire complex will be disconnected from service until the delinquent account(s) is brought current. Under this option, the letter of understanding will remain intact until 1) the property is sold or 2) the landowner submits, in writing, a desire to provide service through option 1. If landowners of rental property fail to do either, the Board may order that separate curb stops and service lines be installed at owner's expense per section 1.06.

3.08 CITY MAY REFUSE SERVICE. The Board may refuse service to persons, not presently customers, when in the opinion of the Board the capacity of the facilities will not permit such service. In the case of a customer being disconnected or having credit action pending, service will not be reconnected or continued in the name of another occupant or user in the same residence if the previous customer or any other person liable for payment of the delinquent water bill continues to occupy or receive benefit of the service provided at the premises. Service may also be refused when opening an account if proper identification is not provided.

3.09 RECONNECTION FEE. Where the water supply to a customer has been discontinued for non-payment of delinquent bills, a charge, set by the Utility Board through Resolution, will be made for reconnection of utility service; but the reconnection will not be made until after all delinquent bills and other charges, if any, owed by the customer to the municipality have been paid.

3.10 NOTICE OF DISCONTINUANCE. Any customer desiring to discontinue the utility service to his premises for any reason must give notice of discontinuance in writing at City Hall; otherwise, the customer shall remain liable for all water used and service rendered by the municipality until said notice is received by the municipality. There is a charge, set by the Utility Board through Resolution, to remove (discontinue service) and install a water meter.

3.11 UNAUTHORIZED WATER USAGE. Anyone found to be obtaining water from the City without paying for it will be required to reimburse the City for the water used, plus interest, based on either an estimate computed by the City, using normal standards for the size of the household or business, or based upon readings from a meter once installed and applied retroactively to the period during which the water was obtained or believe to have been obtained. The reading shall be for up to thirty (30) days after the meter is installed. The water rates in effect for the period the water was used will be applied. Any amounts owed shall be paid to the City within thirty (30) days of the date a bill is mailed. If not paid within that period, a lien shall be placed on the property for said amount, or the City may proceed to file legal action to obtain a judgment against the party in violation of this section. All liens and judgments shall continue to incur interest until paid in full.

3.12 CHANGE OF LOCATION. Upon moving from one location to another, the consumer must report such change immediately, and failure to do so will impose liability on the consumer for service accounts developed in the former location. A consumer may not move into a location vacated by another and use the service without reporting such move and complying with the provisions of Ordinance 2.06, Subsection.

CHAPTER 4 PRIVATE WELLS AND WATER SYSTEMS

4.01 REQUIRED CONDITIONS. Except as hereinafter provided, private wells and water systems shall not be maintained by any individual or property owner, nor shall any new wells be established within the City limits. Private wells and water systems shall be allowed only if one or more of the following conditions are established by the applicant to the satisfaction of the City:

1. **Existing Well.** The well or water system was in existence prior to December 1, 2003, and duly registered with the City, which registration specified the location of the well, by address and legal description, the name and address of the property owner of the well, the name and address of all individuals using the well, and the address and legal description of all properties serviced by the well.
2. **Location.** If no part of a tract of ground from which a private well or water system is proposed is within 200-feet of a City water main.
3. **Undue Hardship.** If the property owner or individual applying for a private well permit can show that denying the permit and not allowing the private well or water system will cause the individual or property owner undue hardship. Undue hardship in this case means that the particular tract of land is so topographically situated that connection to the City water main system would be unfeasible and that the particular conditions causing the unfeasibility of the connection are in no way caused or contributed to by the property owner or permit applicant. The Board shall rule on all questions of undue hardship and their decision shall be final.
4. **Special Circumstances.** A well may be allowed where the circumstances of the proposed use of the well, location of the well, and the surrounding circumstances of the proposed use of the well are such that the Utility Board has determined the granting of a well permit is consistent with protection of public water supplies, maintenance of a public water system, and economic development of the community.

4.02 PERMIT FOR NEW WELL. All individuals who desire to construct or maintain a new private well or water system within the City must first make application to the Water Superintendent for a private well permit. The request for permit shall indicate why the property should be served by a private water system rather than utilize the public water system provided by the City of Eagle Grove.

In determining whether to grant a request for well permit, the Utility Board shall consider the availability of public water systems to serve the subject properties, the effect the proposed well may have upon future development within the vicinity of the proposed well, and any other reasons which are consistent with public policy.

No permit for a new well or water system shall be granted unless one or more of the required conditions under Section 4.01 are established and the well meets all applicable City, County, State and Federal rules, regulations and laws.

4.03 ANNUAL RENEWAL OF PERMIT. Every well, including existing wells and future wells, shall be tested annually, and results of the tests filed with the City. An individual well owner may cause to have a sample of the well water taken to an authorized testing agency for testing, and a copy of such test results shall be filed with the City. Every well shall be tested annually during the month of September of each year, and the test results shall be filed with the City on or before the first day of October of each year. If a well owner fails to comply with this annual test requirement, the City shall send a notice to the well owner at the last known address, advising the well owner no annual test results have been filed with the City. The notice shall further specify that if the well owner does not properly test the well and file the test results with the City within sixty (60) days after the date of mailing of the notice, the City shall declare the well abandoned, and the owner shall forthwith terminate use of the well as required under Section 4.08 of this chapter. In the event a well owner has timely filed the annual test results with the City or timely filed test results after notice and the test results show compliance with all applicable health and safety standards as required by appropriate City, County, and State rules, regulations and laws, the City shall renew the original permit for an additional one-year period.

4.04 NON-RENEWAL OF ANNUAL PERMIT. In the event a well owner receives annual test results that indicate lack of compliance with appropriate City, County, and State rules, regulations and laws, the well owner shall immediately advise the City of the test results and immediately correct the problems and bring the well up to applicable standards. The well owner shall have an additional ninety (90) days after October 1 of each year to correct any problems shown by the annual test. If applicable standards cannot be met or if the problems are not timely corrected, no renewal permit shall be issued and the well owner shall forthwith terminate use of the well as required under Section 4.08.

4.05 REVOCATION OF PERMIT. If at any time it is determined that a private well or water system does not meet applicable City, County, or State rules, regulations or laws, the permit issued pursuant to this chapter shall automatically terminate without further notice to the well owner. The well owner shall have ninety (90) days to correct the problems so that applicable standards are met. In the event applicable standards cannot be met, the well shall be abandoned and the well owner shall forthwith terminate use of the well as required by Section 4.08. In the event a private well or water system is not used for any consecutive nine-month period of time, then at the expiration of the current private well permit period, the permit shall not be renewed unless the well owner shows good cause for the none-use and all provisions of this chapter for a new well are complied with.

4.06 HEALTH AND SAFETY STANDARDS; RIGHT OF INSPECTION. All private wells and private water systems for which permits are granted pursuant to this chapter shall meet all applicable City, County, and State rules, regulations and laws. All permit holders, as a condition of receiving a permit, grant to the City the right to enter the well owner's property solely to inspect and test any private well and water system maintained upon the permit holder's property. In the event the private well or water system so inspected and tested by the City does not meet

applicable standards, the City shall notify the well owner in writing of the failure to meet applicable standards. The well owner shall have ninety (90) days from the date of mailing the notice to correct the problems. If the owner fails to timely correct the problems, the permit issued pursuant to this chapter shall terminate without further notice to the well owner, and the well owner shall forthwith terminate use of the well as required under Section 4.08. In the event a private well or water system cannot be brought up to applicable standards in the time period allowed herein and the well owner is not otherwise connected to the City's water system, the well owner shall connect to the City water system within 180 days in accordance with this Code of Ordinances.

4.07 PERMIT FEES.

1. **Initial Permit.** No fee is charged for the initial registration permit for an existing well.
2. **Annual Renewal Permit.** There is no fee for each annual renewal permit, provided the well owner does the test at the owner's own expense. In the event a well owner fails to have the well tested as required pursuant to this chapter and the City makes the test, the costs of testing shall be charged to the well owner, and the well owner shall pay an annual permit fee, set by the Utility Board, through resolution.
3. **Permit Fees for New Wells.** Any person desiring to install a new well or water system shall make application to the Water Superintendent for a permit, and prior to start of construction shall pay a fee, for the following types of wells, which is set by the Utility Board, through resolution:
 - A. For a new "sand point" or shallow well.
 - B. For a new well to be used for a supply of potable water; and in addition, the well owner shall file with the City a certificate from the State authorized laboratory that a State bacteriological test has been made on the water and the water supply is potable.
4. **Fee Payment.** All permit fees shall be paid to the City at the time the application is filed.

4.08 TERMINATION AND ABANDONMENT. In the event any private well or water system is no longer being used, due to failure to comply with applicable standards, the well owner's connection to the City water system, or other reasons, the well owner or property owner shall cut off the service mains to the well and the well abandoned in such manner s to preclude its further use. The termination of use shall be done by the owner in accordance with the standards and guidelines of the Iowa Department of Natural Resources.

4.09 FLOWING WELLS (ALSO KNOWN AS ARTESIAN WELLS). The City is not liable for any problems caused by the use of water from flowing wells. The City does not regulate flowing wells and citizens should use flowing wells at their own risk.