

ORDINANCE NO 185

AN ORDINANCE TO SET FEES FOR REPLACEMENT OF DAMAGED ELECTRONIC METER COMPONENTS.

WHEREAS, the City of Garfield, Arkansas has incurred considerable costs in upgrading the water meters attached to the city water system; and

WHEREAS, the updates to the water meters allow for the attachment of electronic water meters with radio signal allowing the reading of meters without manual read. The sending unit and radio components save the City of Garfield a significant amount of manpower and allow for more accurate and timely reads; and

WHEREAS, unfortunately the City finds that, too often, the mounting hardware for the sending unit including without limitation water meter lids, connection cords, radios and the water meter itself, which is exposed, are being damaged by lawnmowers or other power equipment or vehicles;

WHEREAS, these water meter components are quite expensive, and it is necessary for the City of Garfield to assess a fee for the destruction of the components of the electronic water meter. Assessing this fee will allow the City to recover the cost of the damage from the responsible party rather than requiring all water users collectively to pay for the negligence of others.

NOW THEREFORE, the City of Garfield does hereby ordain the following:

Section 1. Damage to City water Meter components.

- 1.) Whenever any city water meter component, which shall include without limitation the meter, lid, connection cords, radios and any other part of the water meter, is destroyed and/or damaged through normal wear and exposure to the elements, the component will be replaced by the city furnishing the labor and materials.
- 2.) Whenever any city water meter component, which shall include without limitation the meter lid, connection cords, radios and any other part of the water meter, is destroyed and/or damaged by carelessness or negligence of the owner or occupant of the premises, the city will repair the damage and charge the account of said owner or occupant of the premises being serviced by said water meter. This shall include damage caused by a person(s) working at the direction and/or for the owner or occupant of the premises serviced by the water meter.
- 3.) Whenever any city water meter component, which shall include without limitation the meter lid, connection cords, radios and any other part of the water meter, is destroyed or damaged by contractors or others in the performance of construction, excavation, hauling or other work, or by vandalism, the person, contractors, or company responsible for such damage or destruction shall be billed by the city for the cost of repair or replacement of such damaged equipment.

Section 2. Interruption of Service. The City reserves the right to interrupt service at any time for repairs or other necessary purpose without notice and will not be responsible for damages arising thereby. The City will make reasonable effort to notify water users of pending outages when possible.

Section 3. Fee. The City shall assess a fee for the repair and/or replacement of any of the electronic water meter components damaged by the carelessness or negligence of the person, contractor, or company responsible for such damage. Currently the breakdown on the cost to replace components is as follows:

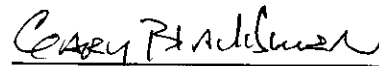
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|----------------------------|----------------------|
| a. Meter Box w/Lid - | \$65.00 |
| b. SetFlow End Point - | \$130.00 |
| c. 5/8" Electronic Meter - | \$120.00 |
| d. 1" Electronic Meter - | \$170.00 |
| e. Water Setter - | \$270.00 |
| f. Labor - | \$100/hr 3 hours max |

The labor and material cost to the City for repair and/or replacement of parts is from \$50.00 to \$885.00 for the complete standard water meter installation. Based upon these costs, the City shall assess a fee not less than \$50.00 and not to exceed \$885.00.

Section 4. Penalties. Any person, firm or corporation who shall violate, fail, neglect or refuse to comply with any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$300.00

Emergency Clause. It is hereby determined by the City Council of Garfield, Arkansas that the need for assessing a fee for damage and/or destruction to water meters is necessary for the health, safety and welfare of the populace of Garfield, Arkansas; and it is therefore declared by the City Council this ordinance shall be in effect from the date of its passage.

Passed and adopted this th 10 day of December, 2019



Gary Blackburn, Mayor

ATTEST:

Teresa Vining, Recorder/Treasurer