

ORDINANCE NO. 2011-

**AN ORDINANCE OF THE NORTH OGDEN CITY COUNCIL AMENDING
TITLE 9, CHAPTER 1, SECTION 9 OF THE NORTH OGDEN CITY
CODE TO PROVIDE A CIVIL FEE FOR DAMAGE TO OR
DESTRUCTION OF AN ELECTRONIC WATER METER SENDING UNIT**

WHEREAS: the North Ogden City Council finds that a significant number of electronic water meter sending units, installed on water meter vault covers, are being damaged or destroyed by power equipment operated by property owners or their agents; and

WHEREAS: the City Council finds that the cost to replace the electronic water meter sending units is considerable; and

WHEREAS: the City Council finds that it is equitable that the property owner responsible for the damage to an electronic water meter sending unit should be responsible for its repair or replacement rather than requiring all water users collectively to pay for the damage,

NOW THEREFORE, BE IT ORDAINED that Title 9, Chapter 1, Section 9 of the North Ogden City Code is amended to read as follows:

9-1-9: PROHIBITED ACTS AND ACTIVITIES:

- A. Unlawful Plumbing Connections: It is unlawful for any person to connect any plumbing installation or fixture, directly or indirectly, to the water supply of the city unless all plumbing work in connection therewith is installed according to the ordinances of the city.
- B. Tampering With Valves: It is unlawful for any person to tamper with any valve of the water system including fire hydrants without proper authority and it is unlawful for any person to turn on any water service without proper authority, nor to reconnect any service which has been shut off or disconnected for nonpayment of fees or otherwise.
- C. Damaging Equipment: It is unlawful for any unauthorized person to in any way molest or tamper with any meter of the waterworks system, or to in any way remove, damage or injure any bulkhead, gate, gatehouse, conduit, culvert, hydrant or main constructed or maintained for the purpose of supplying water to the inhabitants of the city.
- D. Pollution Of Water System: It is unlawful for any person, firm or corporation to in any way contaminate, pollute or render impure any water or water supply of the city.

E. Damage to an Electronic Water Meter Sending Unit. It is unlawful for any person to damage or destroy, or to allow any other person to damage or destroy, an electronic water meter sending unit attached to a water meter vault cover. When an electronic water meter sending unit is damaged or destroyed, there shall be a presumption that the person who owns or controls the property served by the electronic water meter sending unit is responsible for the damage or destruction and shall be required to pay to the city a fee in the amount established in the consolidated fee schedule. A person who desires to rebut the presumption of responsibility for the damage has the right to request a hearing before the Administrative Law Judge according to the procedures set forth in this code.

This ordinance shall take effect upon the first publication and filing of a copy thereof in the office of the City Recorder.

DATED this 25TH day of January, 2011

BY THE CITY COUNCIL:

Richard G. Harris, Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Bigler:	___	___
Council Member Flamm:	___	___
Council Member Harris:	___	___
Council Member Taylor:	___	___
Council Member Turner:	___	___
(In event of a tie vote of the Council):		
Mayor Harris:	___	___

ATTEST:

S. Annette Spendlove, CMC
City Recorder