

ORDINANCE NO. 2019-004

**AN ORDINANCE AMENDING SECTION TWO ARTICLE ELEVEN OF
THE KILLDEER CITY CODE SECTION, RELATING TO WATER
SERVICE LINE RESPONSIBILITY.**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF
KILLDEER, NORTH DAKOTA, AS FOLLOWS:

**Section 1: Section 11.0204, entitled “Water Service – Construction of – Maintenance
by Owner” is hereby amended and re-enacted as follows:**

11.0204 WATER SERVICE - CONSTRUCTION OF -
MAINTENANCE OF BY OWNER

The cost of original installation of all plumbing between the curb stop and any service devices maintained by the consumer and all extensions made to such plumbing, as well as all repairs, shall be borne entirely by the Owner, although such plumbing and services as well as the meters owned by the City shall at all reasonable times be subject to inspection by duly authorized representatives of the City. Any repairs found to be necessary by such representatives shall be made promptly, or the City will discontinue service.

All curb stops shall be located within City owned boulevards, and if existing curb stops are not within this area, and repairs or maintenance are required, the curb stop shall be moved to the nearest practical location within the City owned boulevard, and the costs of such shall be paid by the Owner of the real property serviced by the particular curb stop.

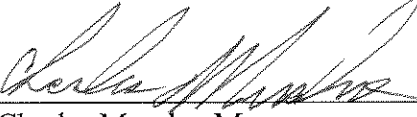
All services shall be constructed by licensed plumbers at the Owner's expense, and each service shall be maintained by the Owner. Services heretofore acquired by the issuance of special assessment warrants and assessed against the property, or which may be acquired in the future in like manner, shall likewise be maintained by the owner. "Services" means the service line running from the point of connection with the City main to the owner's premises. Upon the City receiving knowledge of a defective service line, the property owner shall be notified. The City will enter upon said property to repair the defective water service line. The cost of said repairs shall be billed to the owner of the property. If the cost of repair is not paid within

thirty (30) days of the billing, the City may take action to have the charges assessed the property in accordance with Chapter 40-28 of the North Dakota Century Code, or pursue such other remedies as allowed by law. The Owner is also responsible for the cost of water loss caused by the defective service line, as estimated by the City.

Section 2: **Repeal of Ordinances in Conflict.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: **Severability.** In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 4: **Effective Date:** This Ordinance shall be in full force and effect from and after final passage.



Charles Muscha, Mayor
Board of City Commissioners

ATTEST



Matthew Oase, City Auditor

First Reading: 8-5-2019

Ayes: Summerfield, Candrian, Praus, Rohr. Nays: None.

Second Reading: 8-19-2019

Ayes: Summerfield, Candrian, Praus, Muscha. Nays: None. Absent: Rohr.

Final Passage: 8-19-2019