

WILLIAM R Voboril
Chairman
Village of Bruno
P.O. Box 153
Bruno NE 68014

ORDINANCE NO. 148

An Ordinance to repeal and cancel Ordinance No. 133 and No. 142, dealing with Water Works and to establish new regulations dealing with the Village of Bruno Water System.

THEREFORE BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF BRUNO, NEBRASKA:

SECTION 1: Every person desiring a supply of water must make application therefore to the Water Commissioner or to the Village Clerk, who is hereby designated as ex officio bookkeeper of the Water Works system until otherwise ordered by the Chairman and Board of Trustees. All applications shall be made upon blanks to be supplied by said Village for that purpose. The Village of Bruno shall hereafter receive the non-refundable sum of \$50.00 as a service deposit for any new user of any existing or new water connection. All persons within 300' of any water main now laid or laid in the future shall be required upon notice by the Village Board to hook-up to the Village water system. Existing private wells shall only be used for outdoor purposes only, they are forbidden to be used for a potable water supply or to be hooked into the Village water system in any manner. The Village will also receive a tap fee in advance plus the service deposit from the applicant for each new three quarter inch water connection in the sum of 150.00 dollars provided, if a tap larger than three quarters of an inch be applied for, needed or required, the tap fee shall be such sum as the Water Commissioner, pursuant to the direction of the Chairman and Board of Trustees shall fix and determine. The Village will be responsible for the cost, of tapping the commercial main to which applicants service pipe will be joined. The costs of ferrules or clamps and corporation cocks, pipe installation, trenching, labor and attachments to bring water service from commercial main to in and upon his premises shall be bore by the consumer. The consumer at his own expense shall employ a competent Village approved plumber to keep or repair water service from stop box at lot line in and upon his premises when ordered out of service and shut off by the Water Commissioner. It will be the responsibility of the Village to arrange for a village approved plumber to repair service line from tap on the commercial main to the stop box at or near the consumer lot line. Consumer shall reimburse the Village for all costs incurred by the Village for the repair or replacement of service line from tap on commercial main to stop box at or near the consumers lot line. The costs for any horizontal boring and pipeline encasement, or State Highway Crossing permits, as may be required in some circumstances shall be the responsibility of the applicant. Applicants for water service whose property is situated outside the corporate limits of the Village, shall pay tap installation fees, service deposits, and water rates in such sums as the Chairman and Board of Trustees shall, in each case fix. Provided, however, nothing herein shall be construed to

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obligate the Village of Bruno to furnish water service to non-residents. Commercial mains or other supply pipes must not be tapped nearer than fifteen inches to either end of the pipe or nearer than fifteen inches to another tap unless otherwise ordered by the Chairman and Board of Trustees.

SECTION 2: Hydrants: No hydrant or other contrivance shall be attached to or suffered to remain attached to the service pipe of any consumer in such a manner that water drawn or used therefrom does not pass through meter furnished for use of consumer. If such consumer shall fail or refuse to repair his water service so that all water passes through said meter, within three days after notice in writing to do so shall have been served on him by the Water Commissioner or his agent, the water service of such consumer shall be shut off, and such consumer shall be considered a water thief, deemed guilty of a misdemeanor, and prosecuted for violation of this ordinance.

SECTION 3: Water meters and meter pits: Hereafter all water services connected with the water system of the Village shall have placed thereon at the expense of the Village, upon payment by consumer or applicant of the tap fee fixed and determined in Section 1 of this ordinance a water meter of the type and kind approved and furnished by the Village. All water meters so set and installed shall be the property of the Village and shall be kept in repair by the Village at the Village's expense unless the damage done was caused by the negligence or the wilful conduct or act of the consumer: Provided, permitting a water meter to be damaged by freezing shall be considered the negligence of the consumer, and if repaired or replaced by the Village, consumer shall pay for the cost of such meter repair or replacement as water rent. When meters are entirely worn out they will be replaced and reset by the Village at its own expense: Provided the expense of providing meter pits and keeping them in serviceable order shall be borne by the applicant or consumer. The Village Water Commissioner has the added responsibility of inspecting meter pits to see that they are kept in adequate condition to prevent freezing or other malfunction. Upon written order from the Water Commissioner, owner must repair the meter pit within 14 days or water service will be terminated, until such repairs are made. The Village reserves the right to read, test, or replace any water meter at any time. Failure to allow meter reader to enter any dwelling, pit or basement or cross any part of consumers property to read, repair or replace the meter will be construed as a violation of this ordinance and will result in termination of water service and the filing of legal charges. It will be unlawful for any person to tamper with any meter or to divert water from the service pipe so that the same shall not pass through said meter or while passing through said meter to cause the same to register inaccurately.

SECTION 4: All water meters shall be read by the Water

Commissioner or his or her agent during the first five days of every month. The water commissioner will then proceed to compute monthly water and sewer bills from said meter readings and shall mail them to consumers by the tenth day of the month. Water and sewer bills will then be due by the fifteenth day of the month and considered past due by the twentieth day of the month wherein the Water Commissioner is hereby ordered and authorized to terminate water service at once. Water service terminated for lack of prompt payment or payment by insufficient fund check shall cost the consumer the total of the water and sewer charges plus \$20.00 for the resumption of service. Consumers that issue an insufficient fund check as payment of their water and sewer bill shall be subject to all the above penalties plus an additional \$20.00 charge for the insufficient fund check tendered. Persons tendering an insufficient fund check will be required to pay all charges in cash, postal money orders or certified check, before resumption of service will be allowed. The water commissioner may whenever he deems it advisable or necessary, declare any water bill due at any time and proceed to collect the same, and at his or her discretion, he or she may require charges for water and sewer service to be paid in advance.

SECTION 5: Whenever a special service tap larger than three quarters of one inch is applied for, necessary or required by the Chairman and Board of Trustees to promote the public safety, welfare or convenience, or for additional fire protection said consumers shall pay such rate as may be agreed upon by written contracts: provided, such rate agreed upon shall never be fixed so as to be less in amount than the cost to the Village of furnishing water to such consumer, which shall include a reasonable profit. Persons, firms or corporations desiring to use water temporarily, shall pay such rates as the Water Commissioner shall fix. Pursuant to the direction of the Chairman and Board of Trustees.

SECTION 6: All service pipes hereafter installed from the point of union with the commercial main to stop box at or near lot line of premises of consumer shall be of copper or brass three fourths, of one inch in diameter, unless larger tap be applied for, necessary or required, and of such strength and quality as prescribed by the Chairman and Board of Trustees: Provided, if a pipe of larger diameter be installed, the tap fee shall be increased to cover the the cost of the larger diameter tap furnished by the Village. There shall be a stop box installed in connection with each water service hereafter installed and if any water service is installed without stop box, the water commissioner is hereby authorized to cause same to be done.

There is hereby created as provided by law the office of Water Commissioner in and for the Village of Bruno, Nebraska. The

Chairman shall nominate, and, by and with the advise and consent of the Board of Trustees, shall appoint a qualified individual as Water Commissioner of the Village, whose term of office shall be until the close of the municipal year, or until his successor shall be appointed and qualified. The water commissioner may at any time, with or without cause, be removed by a two thirds vote of the Chairman and Board of Trustees, and any vacancy occurring in said office by death, resignation or removal from office as aforesaid, will be filled by appointment by the Chairman and Board of Trustees. The Water Commissioner will be required to be bonded for the sum of at least five thousand(\$5,000.00), paid for by the Village, before his appointment is confirmed. The Water Commissioner shall keep the Village Board informed about the condition of the water distribution system at all times. He shall perform the ordinary duties incidental to his office together with any other duties which the Chairman and Board of Trustees may prescribe; and the duties of his office may be merged with the duties or employments of other Village officers or village employees.

SECTION 7: If said consumer shall for any reason be indebted to said Village for water and sewer service furnished, including parts, labor and repairs that are the consumers responsibility as set forth in this Ordinance, such amounts due, together with any rents and charges in arrears shall be considered as delinquent water and sewer rent, which is hereby declared to be a lien upon the premises of real estate for which or upon which the same was used or supplied, and upon the refusal of said consumer to pay said delinquent water and sewer rents, they shall be collected by being placed upon the assessment rolls and tax books for collection as provided by law.

SECTION 8: Contracts for water service are not transferable. If any person shall sell, dispose of or move from the premises where water service, is furnished, he shall at once inform the Water Commissioner of the fact of such moving, and the water commissioner shall forthwith cause water service to be shut off from said premises. If said consumer shall fail or neglect to give notice, he shall be charged for all water used on said premises until the water commissioner is otherwise advised of the fact of moving and the water meter is read.

SECTION 9: Water Rates - minimum charge for water service from 0 to 3000 gallons will be 12.50. Water rates for water use over 3000 gallons will be 30¢ per every additional 100 gallons. These charges shall apply to each month or any part of each month that the water service is provided to the consumer. There will be no time prorated rates. The Chairman and Board of Trustees by two thirds majority vote may change the water and sewer rates at any time to ascertain that said water and sewer rates cover all costs and provide a reserve fund to cover needed repairs and system expansion. Water rates for bulk sales of water to be used

but not limited to construction, farm use or livestock in or outside the Village shall be set by the Village Board of Trustees and such rates are subject to change at any time at their discretion. All water and sewer consumers shall be liable for the minimum rate provided by Ordinance unless and until the consumer shall notify the water supervisor to shut off the water at the stop box, in which case he or she shall not be liable thereafter for water and sewer rental until the water is turned on again. Provided that water service is terminated for more than 30 days.

SECTION 10; Plumbing Inspection - the office of plumbing inspector in and for the Village of Bruno, Nebraska is hereby created. Unless otherwise directed by resolution of the Chairman and Board of Trustees the Water Commissioner shall be ex officio Plumbing Inspector. In his absence any Village Board member may act in his behalf.

SECTION 11; It is hereby declared unlawful for any person, firm or corporation to install any plumbing or water service without first notifying Water Commissioner in advance. All pipe, solders or flux used in the installation or repair of any residential or non-residential plumbing system which is connected to the public water supply system shall be lead free, as per the uniform plumbing code.

SECTION 12; Plumbing Code: adopted by reference. To provide certain minimum standards, provisions, and requirements for safe and stable installation, methods of connection, and uses of materials in the installation of plumbing and heating shall be as found in the Uniform Plumbing Code, the most recent edition, published by the International Association of Plumbing and Mechanical Officials in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as through printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska.

One (1) copy of the Plumbing Code is on file at the office of the Village Clerk and is available for public inspection at any reasonable time. The provisions of the Plumbing Code shall be controlling throughout the Village, and shall also apply to any non resident water service provided outside the corporate limits of the village.

SECTION 13; Plumbing Inspection - It shall be the duty of the Plumbing Inspector to supervise all plumbing and drainlaying work done in the Village of Bruno, and if after having made the proper final inspection or any job of plumbing or drain laying work the same is found to be properly done and to be perfectly tight as required by regulation he will issue to the plumber or drainlayer a certificate of satisfactory inspection. The plumbing inspector will also insure that any plumber or

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drainlayer will restore streets, sidewalks and pavements over all pipes he may lay, and to fill all excavations made by him so as to leave the street, sidewalks and pavements in as good condition as he found them.

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SECTION 14: Water Rationing - Water rationing within the Village will be as prescribed in Ordinance # 146 until such time as the Village of Bruno is a customer of the David City Water System. There after the Village shall be obligated to ration water when prescribed to do so by the David City Council. Bruno customers will be required to follow the same water conservation rules and regulation as David City residents. The Bruno Water Commissioner will have the authority to order water rationing for the Village of Bruno residents at any time that there is a water shortage caused by but not limited to leaks, fire emergency, repair work or any other unforeseen emergency. The Bruno water commissioner will have the authority after consulting with the Chairman of the Board of Trustees to set the degrees of water rationing to the maximum of no outdoor use of water. The Village of Bruno will not be held liable for any damages caused by the shutting off the water supply of any consumer while the water system or any part thereof is undergoing repairs, for past due payments or when there is a shortage of water due to circumstances over which the Village has no control. Violators of any prescribed water rationing either by the order of the David City water system or by the order of the Bruno water commissioner will be subject to the termination of their water supply. Resumption of service will be reinstated upon payment of a \$100.00 fine. Subsequent violations during a current water shortage shall cause the water supply to be terminated and violators shall be fined \$200.00 for each violation payable before their water supply will be reinstated. The above conservation plan does not apply to the village emergency wells or any person having and using their own existing private wells for outdoor purposes nor shall it apply to the Bruno Volunteer Fire Dept. while carrying out their official duties. No new private wells will be allowed to be constructed within the Village limits under this ordinance.

SECTION 15: Any person being convicted of violation any of the provisions of this ordinance, of injuring waterworks property, of meter tampering, or of using water from fire hydrants as a source of domestic water supply, or of using water from hydrants or other devices set in service pipes ahead of the meter, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not more than one hundred dollars (\$100.00). A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply with the provisions of this ordinance.

Introduced by Witfred Kozisek

Passed and approved this 4 day of March, 2006.

William R Vobanil
Chairman

ATTEST:

Donald A. Stara
Village Clerk

PROCLAMATION

I, William R. Veborik, Chairman of the Village Board of Bruno, Nebraska, do hereby proclaim as authorized and directed the Village Board at the terms and provisions of the foregoing ordinance, Ordinance No. 148, shall take effect under the emergency clause provisions set forth therein, immediately upon first publication in pamphlet form in accordance with the laws of the State of Nebraska.

William R. Veborik
Chairman

CERTIFICATE OF POSTING OF ORDINANCE

STATE OF NEBRASKA)
)
County of Butler) ss.
)
Village of Bruno)

I, the undersigned, duly elected, qualified and acting Clerk of the Village of Bruno, in the County of Butler, State of Nebraska, do hereby certify:

that the annexed and foregoing is a full, true and correct copy of Ordinance No. 148 of said Village as the same appears of record in the journal and ordinance book of said Village, and that said ordinance was duly passed by the Board of Trustees of said Village on the 4 day of march, 2006 and was signed and approved by the Chairman of said Village Board on the 4 day of march, 2006, and there being no newspaper published in said Village, three copies of said ordinance were duly posted by me on the 6 day of march, 2006, one in each of three public places in said Village as follows:

Bruno Post office
Daves Gas & oil
Bruno Lounge

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of said Village this 4 day of march, 2006.

Donald A. Stara
Village Clerk

STATE OF NEBRASKA)
) SS.
County of Butler)

PROOF OF PUBLICATION

DONALD A. STARA, being first duly sworn on oath says that he is the Clerk of the Village of Bruno, Nebraska, and that Ordinance No. 148 was published in pamphlet form on the 4 day of March, 2006.

Donald A. Stara
VILLAGE CLERK

Filed in my office: March 4 2006

Donald A. Stara
VILLAGE CLERK

CERTIFICATION

STATE OF NEBRASKA)
) SS.
County of Butler)

DONALD A. STARA, the duly elected, qualified, and acting Clerk of the Village of Bruno, Nebraska hereby certifies that the foregoing Ordinance is a true and accurate copy of said Ordinance passed on the 4 day of March, 2006.

Dated this 4 day of March, 2006.

Donald A. Stara
VILLAGE CLERK