ORDINANCE NO. 18334

AN ORDINANCE introduced by Mayor James A. McClinton, regarding water service line, amending Topeka City Code Chapter 146, Division 4 and §§ 146-76, 146-77, 146-78, 146-79, 146-80, 146-81, and 146-82 and specifically repealing said original sections.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That City of Topeka Code Chapter 146, Article II, Division 4, Service pipes, is hereby amended to read as follows:

Service pipes Water service line.

Section 2. That City of Topeka Code § 146-76, Installation, is hereby amended to read as follows:

Installation Definitions.

Service pipes shall be installed by the water division or a plumber upon the issuance of a permit for such installation by the water division. The original service, or enlargement thereof, is at the property-owner's expense. The following words and phrases, when used herein, shall have the meanings respectively ascribed to them:

Water service line means only the section of waterline that connects to the water main and extends to the water meter for that property. Water service line does not include any section of waterline that extends from the water meter to the structure, premises or yard hydrant being served or any portion of waterline on private property.

Section 3. That City of Topeka Code § 142-77, Size, is hereby amended to read as follows:

Size Applications and standards.

The size of each service pipe must be approved by the water division, but no service
pipe shall be less than three-fourths inch in diameter. The water division or a licensed
plumber shall install all water service lines. Prior to installation, application for a water
service line installation will be made to the City of Topeka public works department. An
application will not be processed unless and until all outstanding debts, if any, due to the
City of Topeka combined water, wastewater and stormwater utility are paid in full, whether
such obligation is for unpaid accounts, charges, services or materials. All applicable
permits must be posted at the job site before a service connection will be made. All water
service line installations shall be in accordance with all applicable provisions of the City of
Topeka Standard Technical Specifications, maintained by the engineering division and
water service installation standards maintained by the water division.

Section 4. That City of Topeka Code § 142-78, Specifications for materials, is
hereby amended to read as follows:

Specifications for materials Size.

Service pipes from tap to property line shall be copper or cast iron. From property
line to stop and waste, copper, wrought iron or cast iron may be used. Copper pipe shall be
type K conforming with United States government specifications WW-T-799 or class K or
ASTM specifications. Cast iron pipe four inches or larger shall conform to federal
specifications WW-P-421 for centrifugal cast bell and spigot. C.I. water pipe class 150.
Two-inch cast iron pipe shall be hub and spigot suitable for 150 pounds working pressure.
The inside diameter of the pipe shall have a full two-inch opening and of perfect circle
section. Wrought iron pipe shall conform to requirements of the latest revision of the ASTM
designation A-72. Each length shall be plainly labeled by the manufacturer. The size of
each water service line must be approved by the water division, but no new water service
line shall be installed of less than one (1) inch in diameter. Any change in the size of the
existing water service line shall be at the expense of the property owner.

Section 5. That City of Topeka Code § 142-79, Alignment, is hereby amended to
read as follows:

Alignment Specifications for materials.

Every service pipe shall be laid at right angles to the main and in a straight line from
the tap in the main to the meter box or stop box. All turns must be at right angles. All
materials used for water service lines and connections to the water meters or the City's
water mains shall be in accordance with the City of Topeka Standard Technical
Specifications maintained by the engineering division.

Section 6. That City of Topeka Code § 142-80, Appurtenances, is hereby
amended to read as follows:

Appurtenances Installation, alignment, location and inspection.

Each service line installed or replaced shall have a corporation cock, approved
meter, meter box, and stop and waste valve of compression type located at the wall of the
building, ahead of distribution, or at the yard faucet. Every meter setting shall have a key
valve (special) or lock-wing valve on the street side, and a test valve or slotted key valve on
the house side; provided, that at any location where it is impossible to set a meter box at or
near the property line, a meter may be set at a place approved by the water division. Each
and every person receiving service must make the meter accessible to water personnel, or
make arrangements to have the meter moved to another location so that it is accessible at
all times. It shall be unlawful for any person to repair or extend any existing water service
pipe on any premises to another part of such premises, or to other premises, and/or install
or construct hydrants in connection therewith without first having obtained a written permit from the water division. When a main is not large enough for a tap to be inserted, a tapping sleeve and valve shall be used. A battery of taps is prohibited. The alignment and location of all water service installations or relocation shall be in accordance with water service installation standards maintained by the water division and will be subject to inspection and acceptance by the water division before water service will be activated. Property owner will be responsible for all charges, services, and materials for water service installation or relocation.

Section 7. That City of Topeka Code § 142-81, Inspection, is hereby amended to read as follows:

Inspection Water service line termination/abandonment/replacement.

All service pipes and fittings shall be left exposed until after inspection and approval by the water division. Water will not be turned on in any service until meter is set and construction of water line approved by the water division. Before the construction of such line is approved, the line shall be inspected by a representative of the water division and such representative shall file a written statement of such inspection. All service pipes when abandoned or when replacements are to be made shall be killed at the main by the plumber installing replacements, at the expense of the property owner. The plumber must return the permit with all information and diagrams required before service is approved. All water service lines connected to the water main are considered active, unless terminated by one of the following means:

a. A written request by the customer;

b. If the line is abandoned by the customer; or
c. If a replacement water service line is requested by the customer, the water division will terminate the water service by disconnecting the water service line from the water main. There will be no charge to the customer for termination of water service.

A water service will be deemed abandoned if there is no water flow through the water meter or water service line for a period of twelve (12) months.

If a water service is considered abandoned, the water division will attempt to contact the property owner at least five (5) business days prior to termination of water service by mailing a notice of termination to the customer's address maintained by the water division or by posting a notice on the property of the pending service termination.

Section 8. That City of Topeka Code § 142-82, Repair, is hereby amended to read as follows:

**Repair and responsibilities of property owner and City.**

All service pipes from the property line to a building or yard faucet shall be repaired by the plumber upon issuance of a permit or by the water division at the expense of the property owner. All service pipes under 200 feet in length from main to meter box shall be repaired by the water division.

a. The waterlines from the water meter to the structure, premises, or yard hydrant being served or any portion of waterline on private property shall be the responsibility of the property owner and shall be constructed, maintained, repaired or replaced at the sole cost of the property owner. All installation or repair work shall be done as required by the uniform plumbing code and other appropriate ordinances.

b. All water service lines from the water main to the water meter located in the
city's right-of-way or city or public utility easement shall be the responsibility of the water
division and shall be repaired only by the water division.

c. All waterlines from the water main to the water meter which are not located in
the city's right-of-way or city or public utility easement shall be the responsibility of the
property owner and shall be repaired or replaced at the sole cost of the property owner. All
installation or repair work shall be done as required by the uniform plumbing code and
other appropriate ordinances.

d. Property owner shall be responsible for any expenses incurred by the water
division for the repair to a water service line, including, but not limited to, any materials,
service, or labor, including the repair to public property, streets, alleys or other public
utilities caused by the property owner's negligent or intentional actions.

Section 9. That original City of Topeka Code Chapter 146, Article II, Division 4
and §§ 146-76, 146-77, 146-78, 146-79, 146-80, 146-81, and 146-82 are hereby specifically
repealed.

Section 10. This Ordinance shall take effect and be in force from and after its
passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council NOV 09 2004.

James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk