

# Public Notices

## RESOLUTION ESTABLISHING WATERAND SEWER SERVICE CHARGES RESOLUTION NO. 2026-01

Pursuant to Chapter 7 Article 1 Section 7.0124 of the Municipal Ordinances of the City of Fessenden,

BE IT RESOLVED: that the established water and sewer rates, fees, and charges for the City of Fessenden listed below shall be on file with the city auditor and shall be available for public inspection during normal business hours.

- A. Water Rates**  
Bulk water \$15.00 per 1,000 gals  
Business and Residential \$25.00 plus \$11.75 per 1,000 gals
- B. Sewer Rates**  
All users: \$40.00 per month
- C. Water Deposit**  
All new users: \$100.00
- D. Connection**  
\$50.00 charge for shutting water off  
\$50.00 charge for turning water on
- E. Water Tower Fee**  
All water connections: \$5.00
- F. Drain Maintenance**  
All water connections: \$1.00
- G. Infrastructure Fee**  
All city parcels: \$10.00  
Dated this 19th day of January, 2026.  
Jeff Johnson, President City Council  
Paula Tweton, City Auditor  
(January 24, 2026)

## Ordinance reading City of Fessenden

CHAPTER SEVEN: WATER AND SEWER ARTICLE 1 UTILITY ESTABLISHED	2
7.0101 WATER AND SEWER DEPARTMENT ESTABLISHED	2
7.0102SUPERINTENDENT OF CITY WATER AND SEWER DEPARTMENT	2
7.0103SAME: REPORTS	2
7.0104CITY WATER AND SEWER DEPARTMENT TO BE INDEPENDENT AGENCY	3
7.0105APPLICATION FOR WATER SERVICE AND SERVICE CONNECTION CHARGE	
7.0106WATER SERVICE - TO PROPERTY NOT PREVIOUSLY ASSESSED	
7.0107SUBSEQUENT CONNECTION TO PREMISES	3
7.0108WATER DEPOSIT REFUND	
7.0109SEPARATE CONNECTIONS FOR EACH PREMISE - EXCEPTION	
7.0110SERVICE OUTSIDE CITY LIMITS - PROHIBITED EXCEPTION	
7.0111 SERVICE IN UNPLATTED AREAS	
7.0112WATER SERVICE - CONSTRUCTION OF - MAINTENANCE OF BY OWNER	
7.0113 WATER METERS CHECKED- FEES	5
7.0114 UNLAWFUL TO USE WATER NOT METERED- UNLAWFUL TO TAMPER WITH CURB COCK	5
7.0115DEFECTIVE SERVICE - CONSUMERS DUTY TO REPORT	5
7.0116USERS CONSENT TO REGULATIONS	
7.0117REGULATIONS GOVERNING SERVICE	6
7.0118CONNECTION TO BE SUPERVISED BY MUNICIPAL EMPLOYEES	6
7.0119 SERVICE PIPES SPECIFICATIONS	7
7.0120CURB COCK SPECIFICATIONS	7
7.0121CHECK VALVES REQUIRED WHEN NECESSARY	7
7.0122USE OF WATER DURING FIRE-UNLAWFUL	13
7.0123WATERWORKS CUSTOMERS MAY LAY LARGER PIPES WITH HYDRANTS-WHEN	13
7.0124RATES AND CHARGES	13
7.0125RATES AND CHARGES - LIABILITY FOR	13
7.0126DUTY TO REPORT TO AUDITOR	14
7.0127EXCAVATORS	14
7.0128RESTRICTION USE OF WATER	14
7.0201PURPOSE	14
7.0202DEFINITIONS	15
7.0203USE OF PUBLIC SEWERS REQUIRED	17
7.0204WHEN PRIVATE SEWAGE DISPOSAL PERMITTED	18
7.0205BUILDING SEWERS AND CONNECTIONS	19
7.0206USE OF PUBLIC SEWERS	21
7.0207DAMAGE TO SEWER WORKS PROHIBITED	24
7.0208POWERS AND AUTHORITY OF INSPECTORS	24
7.0209 HEARING BOARD	25
7.0210PENALTIES	26
7.0211 VALIDITY	26
7.0301PURPOSE	26
7.0302DETERMINING THE TOTAL ANNUAL COST OF OPERATION AND MAINTENANCE	27
7.0303PAYMENT OF THE USER'S WASTE-WATER SERVICE CHARGE AND PENALTIES	27
7.0304WASTES PROHIBITED FROM BEING DISCHARGE TO THE WASTEWATER SYSTEM	27
7.0401ADOPTION	27
7.0402PLUMBING CODE - ENFORCEMENT OF PROVISIONS	28
7.0403PLUMBING CODE - CHANGES IN EXISTING INSTALLATIONS	28
7.0404PLUMBING CODE - NEW INSTALLATIONS	28
7.0501PENALTY FOR VIOLATION OF CHAPTER	29

7.0101 Water and Sewer Department Established

There is hereby established and created within the City of Fessenden, North Dakota, a department to be known as the City Water and Sewer Department, which shall have general charge of all plants, systems, works, instrumentalities, equipment, materials, supplies, sewage disposal plants, lagoons, intercepting sewer, trunk connections, sewer and water mains, filtration works, pumping stations and all parts and appurtenances of the foregoing which are used or useful in connection with the obtaining of a water supply and the conservation, treatment and disposal of water for public and private uses, and/or useful in connection with the collection, treatment and disposal of sewage, waste and storm sewers for the inhabitants of this city, subject to all ordinances, rules and regulations.

7.0102 Superintendent of City Water and Sewer Department

A Water and Sewer Utility Superintendent shall be appointed by the governing board. If he is a part time employee, and if he is also a city employee in some other capacity, only his serv-

ices respecting the utility shall be an operating charge of the system. It shall be the duty at the Superintendent to exercise control and management of the operation of the utility system. He shall have power and authority to employ, subject to the approval of the governing body, all such engineers, filter plant operators, meter readers, laborers and other employees, as may be necessary to the operation of the utility system. All such employees shall be subject to his orders and directions, and he shall be responsible for their acts. He shall have power and authority to purchase such materials, supplies and repairs for the water-sewer system, with the approval or the governing board of the city, as shall be reasonably necessary for the operation or such system. He shall keep such books and records of matters pertaining to the operation of the system, as are necessary to show the operation and condition thereof. He shall at all times be subject to the supervision and direction of the governing board. He shall perform such other duties and have such other powers and authority as are hereinafter provided for.

7.0103 Same: Reports

Such Superintendent shall make monthly reports to the governing body concerning the operation of his department.

7.0104 City Water and Sewer Department to be Independent Agency

All of the business affairs of the said City Water and Sewer Department shall be conducted, insofar as is possible within the ordinances of the City of Fessenden as a completely separate and distinct division of the City of Fessenden. Separate and distinct accounts shall be set up on the books of the City Auditor, which said accounts shall at all times reflect the true condition of the Water and Sewer Department, as distinct from the remaining business of the city, and which shall be so devised as to disclose the annual profit or loss of said department. The funds of the department shall be held in the custody of the City Auditor and disbursed upon warrant in the same manner as other funds, but the said Water and Sewer Department shall be given credit upon the books of the city with all payments made by the city on its behalf. Transfers from the Water and Sewer Department to the General Fund or any other fund of the city shall not be made except upon order of the governing body, nor shall transfer be made from said city funds to the Water and Sewer Department without like order. Where bonds have now been, or may hereafter be issued against any water works improvement or sewage improvement, which constitute a general obligation of the city, the taxes levied for the payment of such bonds and interest shall be levied and expended for such purpose in the manner provided by law, until such time as it may be possible out of the proceeds of said Water and Sewer Department, after setting up a reasonable reserve for depreciation and new construction, to make payment of the bond requirements from the profits of the said Water and Sewer Department. It is expressly declared to be the purpose of this ordinance that as soon as the same can be accomplished without undue order to the water users of this city, the said Water and Sewer Department shall be placed upon an entirely independent basis as a separate business enterprise.

7.0105 Application for Water Service and Service Connection Charge

Any party desiring water and sewer service from said utility for premises not heretofore connected with the system, and not subject to the provisions of section 7.0106 set forth below, shall apply for a connection on a form provided by the municipality. Such application shall state an exact description of the premises to serve, and the uses, both general and special, to which the water is to be put, the nature of sewage to be discharged, and the estimated amount of water to be used for a quarter-annual period. Such application shall befiled with the City Auditor, and the applicant shall thereupon pay to the City Auditor, as and for a connection charge, an amount established by resolution from the City Council, which they may change from time to time, for a residential building, commercial building, vacant lot, or multiple dwelling.

7.0106 Water Service - To Property Not Previously Assessed

No permit shall be issued for the making of any connection between any water or sewer line on any property which has not previously been benefited by existing water and/or sewer lines or whenever the owners of such property have not been assessed for such water and sewer lines, unless and until such person shall have paid or made a written statement with the city to pay in monthly installments within a maximum of five (5) years an amount of money as may be therefore determined by the governing body, such amount shall be based on the area served and benefit resulting to the property involved. Within 30 days of the receipt of such application, the governing body shall determine the amount of money required to be paid before such connection shall be made, and shall advise the applicant property owner of such determination.

All such money paid and received pursuant to the provisions of this section shall be placed in the water and sewer utility fund and shall be expended in accordance with the purposes of such fund.

7.0107 Subsequent Connection to Premises

Any party, other than the original applicant, desiring service For premises where a connection has been made pursuant to sections 7.0105 and 7.0106 hereof shall make written application therefore as in cases described in section 7.0105 hereof, and if the connection charge for such premises has not been fully paid at such time, the applicant shall pay or agree to pay the remainder thereof in like manner and time as described in sections 7.0105 and 7.0106 hereof.

7.0108 Water Deposit Refund

Every property owner, tenant, or customer requesting municipal water and/or sewer services shall pay a Water Meter Deposit in an amount established by resolution of the City Council. The deposit shall be paid prior to the commencement of any water or sewer services. The deposit shall be held by the Water and Sewer Department, as security for payment of all water and sewer service charges. Upon vacating a property or termination of water and sewer services, the customer shall be entitled to a refund of their Water Meter Deposit within a reasonable period of time.

7.0109 Separate Connections for each Premise - Exception

Unless special permission is granted by the Water and Sewer Utility Superintendent, each premise shall have a separate and distinct water service connection and sewer service connection, and where permission is granted for branch service systems, each unit on the branch shall pay the fees as set in 7.0124.

7.0110 Service Outside City Limits - Prohibited Exception

No application for water and/or sewer service outside the city limits of the City shall be approved and no person outside of the corporate limits of the City shall hook up to or make connection with the city water and/or sewer system whether the same now is outside or inside the incorporated limits of the City. Water service and/or sewer service outside the corporate limits of the City may be permitted pursuant to contractual agreement of the governing body arising in limited and extraordinary circumstances but shall be permitted only upon a resolution unanimously adopted by the governing body.

7.0111 Service in Unplatted Areas

No application for water and/or sewer service shall be approved and no person shall hook up to or make connection with the city water and sewer system unless the area to be served by said water and/or sewer connection has been duly platted and the plan approved by the governing body and recorded in the Register or Deeds Office of Wells County, North Dakota.

This prohibition may be waived in limited and extraordinary circumstances, provided the provisions of Section 7.0110 are followed.

No application for water and/or sewer service shall be approved and no person shall hook up to or make connection with the city water and sewer system unless the area to be served by said water and/or sewer connection has been duly platted and the plan approved by the governing body and recorded in the Register or Deeds Office of Wells County, North Dakota.

This prohibition may be waived in limited and extraordinary circumstances, provided the provisions of Section 7.0110 are followed.

7.0112

The cost of original installation of all plumbing between the main 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 consumer, although such plumbing and services as well as the meters 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 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 owner's premises. After the initial installation the City shall be responsible for the service line from the main to and including the curb stop. The customer shall be responsible for the service line from the curb stop to and including the structure's plumbing.

7.0113 Water Meters Checked - Fees

Every consumer of water shall provide a suitable place where a water meter can be installed and each consumer shall supply, maintain and change when necessary, the same, and if at any time the consumer desires to have the meter tested for accuracy, the same shall be done by the municipality.

7.0114 Unlawful to Use Water Not Metered- Unlawful to Tamper With Curb Cock

It shall be unlawful for any person to use water from any premises without the consent of the owner, or to use water from the municipal water system except when drawn through a meter installed by the municipality. No person except an authorized representative of the Utility Superintendent shall turn on or off or tamper with any curb cock.

7.0115 Defective Service - Consumers Duty to Report

All claims for defective service shall be made in writing and filed with the utility Superintendent on or before the 19th day of the month next succeeding such defective service, or be deemed waived by the claimant; and if such claims so filed, it shall be the duty of the Utility Superintendent to investigate the facts alleged in such claim and determine the amount, if any, which should be refunded to such claimant by reason of such defective service and report such determination to the governing body, and, it approved by that body, such amount shall be allowed as credit on the following bill or paid as other claims, but no claim shall be made against the municipality for any fire or any injuries to the person or property of any consumer of water or sewer service under the provisions hereof.

7.0116 Users Consent to Regulations

Every person applying for or making payment for water and sewer services from the municipal system, and every owner of property for which such application or payment is made, shall be deemed by such application or payment to consent to all the rules, regulations, fees, and rates contained in the resolution or ordinances of the city and to any modification thereof and to all new rules, regulations or rates duly adopted.

7.0117 Regulations Governing Service

The following rules and regulations shall be considered a part of the contract with every person who takes or receives water and/or sewer service supplied by the city through the City waterworks system and every such person who takes such service shall be considered to be bound thereby.

1. Shutting Off Water - Who Authorized. No person except an authorized employee of the water department shall shut off or turn off the water at the curb cock to any premises without first obtaining permission from the water department.

2. City Reserves Right to Shut Off Water- Notice. In the case of making repairs or constructing new work, the City reserves the right to shut off the water at once and keep the same shut off as long as may be necessary to accomplish such purposes. Service may also be discontinued for nonpayment of bills or for disregard of rules and regulations affecting the service.

3. Non-liability of City for Deficient Supply or Quality of Water. It is expressly provided that the City shall in no event be or become liable to any consumer of water for a deficiency in the supply of water or the quality thereof, whether by shutting off the same to make repairs or to construct new work or for any other cause whatsoever.

Shutting Off Water- Charge for. The water department shall make a charge, as determined by the City governing body, for shutting off or turning on services

5. Entrance and Access to Premises by Waterworks Employees.

Authorized employees of the water and sewer department shall have free access to any premises supplied with water, at proper times, to inspect and ascertain the condition of the meters and fixtures, or for reading meters, and no owner or occupant shall refuse such employees such access. The water department shall have the right to enter any premises and remove the meter for the purpose of examination and test after first notifying the owner or occupant, and to shut off the water to premises where free access is prevented.

6. Fire Hydrants - Who May Open. No person except city employees in the performance of their official duties shall open or cause to be opened any fire hydrant without the written permission of the water superintendent.

7.0118 Connection to be Supervised by Municipal Employees

In installing water and sewer service, all taps shall be driven, street excavations made, corporation cocks inserted, pipes installed from the main and the curb cock installed in an iron box to which the service is to be connected by the individual, his agent or employee under the supervision, direction and control of the water and sewer department. Ten feet spacing shall be allowed between all water and sewer lines in new connections to service. Failure to comply with this section shall be considered a disregard of the rules of the department and service to the affected property can be withheld or discontinued as the case may be.

7.0119 Service Pipes Specifications

All service pipes connected with the water and sewer utility shall be laid 5 feet and 6

inches below the established grades or as low as the street mains. All water and sewer pipes shall be of a material approved by the Utility Superintendent.

7.0120 Curb Cock Specifications

There shall be a curb cock in every service line attached to the water mains, the same to be placed as near as possible to the curb if on a street, or within one foot of the alley line if the main is located in the alley. Curb cocks shall be supplied with strong and suitable "T" handles and shall be enclosed in a substantial iron case covered with a tight fitting iron lid with the letter "W" cast upon it. There shall be one or more stops and waste cocks attached to every supply pipe at some point between the curb cock and the meter so that the water can be shut off and the house plumbing entirely drained. There shall be another such stop and waste cock in the pipe on the house side of the meter.

7.0121 Check Valves Required When Necessary

(1) Purpose

The purpose of this Ordinance is to protect the public water system from contaminants or pollutants that could enter the distribution system by backflow from a customer's water supply system through the service connection.

(2) Authority

The authority to implement this program is contained in the following documents: North Dakota Administrative Code 33.1-17-01-19 Protection of Public Water Systems

2018 North Dakota Plumbing Code

2018 Uniform Plumbing Code

The public water system shall have the authority to survey all service connections within the distribution system to determine if the connection is a cross-connection.

The public water system shall have the authority to control all service connections within the distribution system if the connection is a cross-connection.

The public water system may control any service connections within the distribution system in lieu of a survey if the service connection is controlled with an air gap or reduced pressure zone backflow prevention assembly.

The public water system may collect fees for the administration of this program.

The public water system shall maintain records of cross-connection surveys and the installation, testing and repair of all backflow prevention assemblies installed for containment and containment by isolation purposes.

Except as otherwise provided herein, the public water system shall administer, implement and enforce the provisions of this Ordinance.

(3) Applicability

This Ordinance applies to all commercial, industrial and multi-family residential service connections within the public water system and to any persons outside the City who are, by contract or agreement with the public water system, users of the public water system. This Ordinance does not apply to single-family-residential service connections unless the public water system becomes aware of a cross connection at the single-family connection.

(4) Definitions

a. "ACTIVE DATE" means the first day that a backflow prevention assembly or backflow prevention method is used to control a cross-connection in each calendar year.

b. "AIR GAP" is a physical separation between the free-flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel installed in accordance with standard ASME A112.1.2.

c. "BACKFLOW" means the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the public water systems distribution system from any source or sources other than its intended source.

d. "BACKFLOW CONTAMINATION EVENT" means backflow into a public water system from an uncontrolled cross connection such that the water quality no longer meets the North Dakota Primary Drinking Water Regulations or presents an immediate health and/or safety risk to the public.

e. "BACKFLOW PREVENTION ASSEMBLY" means any mechanical assembly installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the mechanical assembly is appropriate for the identified contaminant at the cross connection and is installed in-line field-testable assembly.

f. "BACKFLOW PREVENTION METHOD" means any method and/or non-testable device installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the method or non-testable device is appropriate for the identified contaminant at the cross connection.

g. "CERTIFIED CROSS-CONNECTION CONTROL TESTER OR REPAIRER" means a person who possesses a valid Backflow Prevention Assembly Tester certification from one of the following approved organizations: American Society of Sanitary Engineering (ASSE) or the American Backflow Prevention Association (ABPA). If a certification has expired, the certification is invalid.

h. "CONTAINMENT" means the installation of a backflow prevention assembly or a backflow prevention method at any connection to the public water system that supplies an auxiliary water system, location, facility, or area such that backflow from a cross connection into the public water system is prevented.

i. "CONTAINMENT BY ISOLATION" means the installation of backflow prevention assemblies or backflow prevention methods at all cross connections identified within a customer's water system such that backflow from a cross connection into the public water system is prevented.

j. "CONTROLLED" means having a properly installed, maintained, and tested or inspected backflow prevention assembly or backflow prevention method that prevents backflow through a cross connection.

k. "CROSS CONNECTION" means any connection that could allow any water, fluid, or gas such that the water quality could present an unacceptable health and/or safety risk to the public, to flow from any pipe, plumbing fixture, or a customer's water system into a public water system's distribution system or any other part of the public water system through backflow.

h. All backflow prevention assemblies shall be tested at the time of installation and on an annual schedule thereafter. Such tests must be conducted by a Certified Cross-Connection Control tester or repairer.

i. The public water system shall require inspection, testing, maintenance and as needed repairs and replacement of all backflow prevention assemblies and methods, and of all required installations within the owner's plumbing system in the cases where containment assemblies and or methods cannot be installed.

j. All costs for design, installation, maintenance, testing and as needed repair and replacement are to be borne by the customer.

k. No grandfather clauses exist except for fire sprinkler systems where the installation of a backflow prevention assembly or method will compromise the integrity of the fire sprinkler system.

l. For new buildings, all building plans must be submitted to the public water system and approved prior to the issuance of water service. Building plans must show:

1. Water service type, size and location
2. Meter size and location
3. Backflow prevention assembly size, type and location
4. Fire sprinkler system(s) service line, size

and type of backflow prevention assembly.

a. All fire sprinkling lines shall have a minimum protection of an approved double check valve assembly for containment of the system.

b. All glycol (ethylene or propylene), or antifreeze systems shall have an approved reduced pressure principle backflow preventer for containment

c. Dry fire systems shall have an approved double check valve assembly installed upstream of the air pressure valve.

d In cases where the installation of a backflow prevention assembly or method will compromise the integrity of the fire sprinkler system the public water system can chose to not require the backflow protection. The public water system will measure chlorine residual at location representative of the service connection once a month and perform periodic bacteriological testing at the site. If the public water system suspects water quality issues the public water system will evaluate the practicability of requiring that the fire sprinkler system be flushed periodically.

(6) Inspection, Testing and Repair

a. Backflow prevention assemblies or methods shall be tested by a Certified Cross-Connection Control Technician upon installation and tested at least annually, thereafter. The tests shall be made at the expense of the customer.

1. Any backflow prevention assemblies or methods that are non-testable, shall be inspected at least once annually by a certified cross-connection control technician. The inspections shall be made at the expense of the customer.

b. As necessary, backflow prevention assemblies or methods shall be repaired and retested or replaced and tested at the expense of the customer whenever the assemblies or methods are found to be defective.

c. Testing gauges shall be tested and calibrated for accuracy at least once annually.

(7) Reporting and Recordkeeping

l. "MULTI-FAMILY" means a single residential connection to the public water system's distribution system from which two or more separate dwelling units are supplied water.

m. "SINGLE-FAMILY" means:

1. A single dwelling which is occupied by a single family and is supplied by a separate service line; or

2. A single dwelling comprised of multiple living units where each living unit is supplied by a separate service line.

n. "UNCONTROLLED" means not having a properly installed and maintained and tested or inspected backflow prevention assembly or backflow prevention method, or the backflow prevention assembly or backflow prevention method does not prevent backflow through a cross connection.

o. "WATER SUPPLY SYSTEM" means a water distribution system, piping, connection fittings, valves and appurtenances within a building, structure, or premises. Water supply systems are also referred to commonly as premise plumbing systems.

(5) Requirements

a. Commercial, industrial and multi-family service connections shall be subject to a survey for cross connections. If a cross connection has been identified an appropriate backflow prevention assembly and or method shall be installed at the customer's water service connection within 120 days of its discovery. The assembly shall be installed downstream of the water meter or as close to that location as deemed practical by the public water system. If the assembly or method cannot be installed within 120 days the public water system must take action to control or remove the cross connection, suspended service to the cross connection or receive an alternative compliance schedule from the North Dakota Department of Environmental Quality.

b. In no case shall it be permissible to have connections or tees between the meter and the containment backflow prevention assembly.

1. In instances where a reduced pressure principle backflow preventer cannot be installed, the owner must install a approved backflow prevention devices or methods at all cross-connections within the owner's plumbing system.

c. Backflow prevention assemblies and methods shall be installed in a location which provides access for maintenance, testing and repair.

d. Reduced pressure principle backflow preventers shall not be installed in a manner subject to flooding.

e. Provisions shall be made to provide adequate drainage from the discharge of water from reduced pressure principle backflow prevention assemblies. Such discharge shall be conveyed in a manner which does not impact waters of the state.

f. All assemblies and methods shall be protected to prevent freezing. Those assemblies and methods used for seasonal services may be removed in lieu of being protected from freezing. The assemblies and methods must be reinstalled and then tested by a certified cross-connection control technician upon reinstallation.

g. Where a backflow prevention assembly or method is installed on a water supply system using storage water heating equipment such that thermal expansion causes an increase in pressure, a device for controlling pressure shall be installed. Contamination risk and for determining compliance with this section. This right of entry shall be a condition of water service in order to protect the health, safety and welfare of customers throughout the public water system's distribution system.

(9) Compliance

Customers shall cooperate with the installation, inspection, testing, maintenance, and as needed repair and replacement of backflow prevention assemblies and with the survey process. For any identified uncontrolled cross-connections, the public water system shall complete one of the following actions within 120 days of its discovery:

1. Control the cross connection
2. Remove the cross connection
3. Suspend service to the cross connection
- b. The public water system shall give notice in writing to any owner whose plumbing system has been found to present a risk to the public water system's distribution system through an uncontrolled cross connection. The notice and order shall state that the owner must install a backflow prevention assembly or method at each service connection to the owner's premises to contain the water service. The notice and order will give a date by which the owner must comply.

1. In instances where a backflow prevention assembly or method cannot be installed, the owner must install approved backflow prevention assemblies or methods at all crossconnections within the owner's water supply system. The notice and order will give a date by which the owner must comply.

(9) Violations and Penalties.

a. Any violation of the provisions of this ordinance, shall, upon conviction be punishable as provided in all applicable statutes, laws, and regulations.

(10) Conflict with other codes.

a. If a dispute or conflict arises between the North Dakota Plumbing Code as adopted herein, and any plumbing, mechanical, building, electrical, fire or other code adopted by the State, then the most stringent provisions of each respective code shall prevail.

- a. Copies of records of test reports, repairs and retests, or replacements shall be kept by the customer for a minimum of three (3) years.
- b. Copies of records of test reports, repairs

and retests shall be submitted to the public water system by mail, facsimile or e-mail by the testing company or testing technician.

c. Information on test reports shall include, but may not be limited to,

1. Assembly or method type
2. Assembly or method location
3. Assembly make, model and serial number

4. Assembly size
5. Test date; and
6. Test results including all results that would justify a pass or fail outcome
7. Certified cross-connection control technician certification agency

8. Technician's certification number
9. Technician's certification expiration date
10. Test kit manufacturer, model and serial number

11. Test kit calibration date
- 8) Right of entry

a. A properly credentialed representative of the public water system shall have the right of entry to survey all buildings and premises for the presence of cross-connections for possible a. sewer rates and associated fees are not paid when due by the occupant or tenant, the owner or owners shall be responsible for such water and sewer rates and associated fees, and they shall be assessed to the property served. It shall be the duty of the City Auditor to certify to the County Auditor such unpaid water and sewer rates and associated fees that are unpaid in the same manner and at the same time as other assessments are certified