



## City of Nampa Utility Billing

401 3<sup>rd</sup> St. South  
Nampa, ID 83651  
(208) 468-5711

<b>Policy No.</b>	8-1-xx	<b>Subject</b>	Title 8, Chapter 1: Water Regulations
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### Policy

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#### 8-1-1: DEFINITIONS:

Unless the context specifically indicates otherwise, the meanings of terms used in this chapter shall be as follows:

**CITY WATER SERVICE LINE:** The portion of an individual water service line that runs from its connection with the public water main to and including the corporation stop, valve box, and meter yoke installed in the service line. It is owned and maintained by the city.

**DOMESTIC WATER:** Potable water used for any purpose.

**IRRIGATION WATER:** Nonpotable water used for irrigation purposes.

**MASTER WATER PLAN:** Any document which the city has accepted by official action of the council which describes or otherwise indicates an overall view of proposed future water needs, minimum water main sizing, and/or minimum water main spacing.

**MUNICIPAL WATER MAIN:** Any pipe owned by the city for the purpose of distribution of water to serve more than one water service line or user.

**OVERSIZED MAIN:** Any water main which has an inside diameter greater than eight inches (8") and is required to have a larger inside diameter than is necessary based on the estimated flow of the service area for which the main is being installed. The requirement for oversized lines shall be based on the city's master water plan and/or recommendations of the city engineer.

**PRIVATE FIRE SERVICE CONNECTION:** A separate and independent connection from the domestic water main that connects directly to a fire hydrant, sprinkler system or fire control device that has been, or is to be, installed on private property or in any building for the purpose of fire control within the specific building and said connection is to be for no other purpose.

**PRIVATE WATER SERVICE LINE:** The portion of the water service line that runs from the point being served to the point of connection with the city water service line.

**WATER:** When the term water is used in this chapter without the prefix irrigation or domestic it shall refer to both irrigation and domestic water. (Ord. 2088)

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### **8-1-2: AUTHORIZED REPRESENTATIVE; POWERS AND AUTHORITY:**

The city through its authorized representative bearing proper identification shall be permitted at proper and reasonable hours of the day to enter all properties, premises or buildings to which water is furnished from the water system for any purpose necessary for the proper administration of the water system. Also, the city through its authorized representative shall be permitted to enter all private properties through which the city holds a duly negotiated easement for any purpose necessary for the maintenance of any portion of the water system lying within said easements.

It is the duty of the water superintendent, or his/her authorized designee, to enforce all provisions of this title and, generally, as determined requisite, issue infractions, citations or refer all violations to the city attorney, entering actions in the courts when necessary, and his failure to do so shall not legalize any violation of such provisions, nor shall the failure of the city attorney to enter actions legalize any violation of such provisions. (Ord. 3371, 8-2-2004)

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### **8-1-3: BOARD OF APPRAISERS; DUTIES:**

There is a board of appraisers, as the same is referenced in section [3-1-1](#) of this code and section [8-2-4](#) of this title, consisting of the following: mayor, finance director, public works director, city engineer, treasurer, wastewater superintendent, waterworks superintendent, stormwater manager, and two (2) citizens at large, appointed by the mayor and confirmed by the city council. Citizens will serve on a rotational basis with staggered four (4) year terms. The board shall recommend all rates, charges or fees made and established under authority of this chapter. The board shall also conduct hearings and hear appeals from services, regulations, and fees charged under this chapter. The board of appraisers' decisions must be presented to council for approval. (Ord. 3950, 1-18-2011)

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### **8-1-4: RIGHT OF CITY TO TURN WATER OFF:**

The city reserves the right at any time without notice to shut off the water supply for repairs, extensions, or for any other maintenance and operation procedures. The city shall not be responsible for any damage such as bursting of boilers, the breaking of any pipe, water heater, or fixtures, or any other damage resulting from shutting the water off. (Ord. 2088)

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### **8-1-5: WATER SYSTEM FUNDS:**

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All fees and charges received and collected under the authority of this chapter shall be deposited and credited to funds designated as the domestic water system fund and the irrigation water system fund. The account of said funds shall show:

- A. Receipts and expenditures for the maintenance and operation of the water system, and
- B. Any payments into a sinking fund established for the purpose of paying principal of, and interest on, the city's water bond indebtedness, as may be outstanding.

When budgeted and appropriated, funds and credits to the account of the domestic water system fund shall also be available for the payment of the requirements of the necessary maintenance, operation, repairs and upkeep of the city's domestic water system. To the extent legally possible, funds shall also be available for payment into a sinking fund established for the payment of the principal of and interest on any of the city's water bond indebtedness, as may be outstanding. (Ord. 2088; amd. Ord. 3071)

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### **8-1-6: DOMESTIC WATER USER CHARGE:**

The domestic water user charge is established to cover operation and maintenance costs of the system, and to provide a fund to pay for capital improvement costs, additions, participation in oversized extensions to the system, or redemption of bonds that have been used to finance system improvements, all as a part of the city's responsibility to provide adequate domestic water service and facilities. For new connections, the water user charge is to begin when the meter has been installed. All owners who derive benefit from the city's domestic water system shall, in return for said benefit, pay user charges. (Ord. 2088)

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### **8-1-7: IRRIGATION WATER ASSESSMENT:**

The irrigation water assessment shall be established by the council pursuant to state code. (Ord. 2088)

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### **8-1-8: SPECIAL DOMESTIC WATER USER CHARGE FOR OUTSIDE CITY LIMITS:**

The city may provide service from the domestic water system to individual properties that are partially or entirely outside the corporate limits of the city. In so doing, the following procedure shall be followed:

- A. Each request for such service shall be made in writing, addressed to the director of public works; and



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B. Applicant shall sign an agreement to be annexed if their property is not contiguous to city limits. If the applicant's property is contiguous to city limits, the property must be annexed before connection may be made. An applicant shall apply for annexation through the planning and community development division of the department of public works.

Such special domestic water users shall comply with all regulations of this chapter. The domestic water user will be considered a special user as long as the property being served remains outside the city limits. The special domestic water user shall be charged fees and user charges at a rate greater than that of a similar user who is entirely within the city limits. (Ord. 2088; amd. Ord. 3071)

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### **8-1-9: INSPECTION FEES:**

The city has the authority to assess the owner an inspection fee to cover the city's cost of providing inspection of facilities installed by the owner or his agent. (Ord. 2088)

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### **8-1-10: CONNECTION FEES:**

The city has the authority to assess the developer and/or landowner hookup fees which are related to the cost of providing city water service lines, meters and city water mains. A copy of current hookup fees is on file at the city. Provided, however, that hookup fees may be deferred at the discretion of the city for not more than one hundred eighty (180) days or a request for issuance of a certificate of occupancy, whichever occurs first. A request for deferral under this section shall be made by written application of the developer and/or landowner. (Ord. 4041, 1-7-2013)

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### **8-1-11: IMPACT FEES:**

The city has the authority to assess the developer and/or landowner impact fees which are for the purpose of providing a more equitable distribution of water system costs relating to such items as water supply development, storage, transmission lines and other off site improvements. (Ord. 2088)

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### **8-1-12: CONSTRUCTION METHODS AND MATERIALS:**

The materials and methods used for construction of city and private water lines and appurtenances shall conform to the requirements of all codes and specifications as may be adopted by the city. The city may reject



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any materials or workmanship for cause and upon such order the rejected materials shall be removed and replaced with approved materials. (Ord. 2088; amd. Ord. 3071)

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### **8-1-13: WATER MAIN EXTENSIONS:**

All proposed extensions of the city water system to serve undeveloped areas within the existing city limits, newly annexed areas or areas outside the city limits shall comply with existing policies, specifications, master plans, or requirements established by the city engineer. The plans for all extensions to the city water system shall be prepared under the direction of and signed by a registered Idaho professional engineer and three (3) copies of the plans shall be filed with the city. In approving a plan for extension to the city water system, the city reserves the right to stipulate other requirements such as a special permit fee, rights of way easement limits, sequence of construction, time limits for having existing service disrupted, the filing of a performance bond and other similar measures as may be required to protect the public. No work shall commence on any such extension of the city water system until the extension project has been approved by the city and a written permit has been issued. A permit shall not be issued until all applicable fees have been paid.

All water main extensions and appurtenances made for the purpose of serving the development shall be constructed at the expense of the developer by a qualified contractor in accordance with city specifications and subject to conditions and fees which may be established by the city.

All oversized water mains shall be furnished and installed by the developer. The developer shall be eligible for credits on oversized mains greater than eight inches (8") in diameter. The credit shall be computed and given in accordance with policy established by the city. (Ord. 2088)

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### **8-1-14: EXTENDING DOMESTIC WATER SERVICE OUTSIDE CITY LIMITS; REQUIREMENTS:**

All extensions of domestic water service outside the city limits shall be recommended by the board of appraisers and approved by the council on a case by case basis. Said extensions of service shall be granted only when in the best interest of the city. The extension of services is a privilege and not a right and is intended for those areas likely to be annexed to the city in the near future. In determining whether to allow an extension of domestic water service, the following criteria shall be considered:

A. The city may, at its option, require prepayment of water connection fees.

B. Whether the extension of water service would create an adverse impact upon existing facilities or create economic burdens for future operation and maintenance.



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C. Water line extensions shall be made at no cost to the city. Lines shall be adequately sized for future growth and no credit will be allowed for additional costs associated with oversized lines required by the city either within the proposed development or in the extension of city lines.

D. Whether the city water system has adequate capacity to serve existing development, the proposed development for which the extension is requested and all probable development within the city and between the city and proposed development.

E. The proposed developer must consent in a form acceptable to the city and binding on the development to annexation by the city at the city's option and convenience. (Ord. 2088; amd. Ord. 3071)

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### **8-1-15: CONSTRUCTION CERTIFICATION:**

The city has the authority to require the developer responsible for major line extensions to supply the city with a statement from a licensed engineer certifying that the materials and construction were installed and tested in conformance with city specifications. (Ord. 2088)

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### **8-1-16: GUARANTEE; ONE YEAR:**

Following final inspection and acceptance by the city of an extension of the city water system it shall become the property of the city. The developer/contractor shall guarantee all materials and workmanship for a one year period and shall make any repairs, adjustments or replacements due to faulty materials or workmanship without any cost to the city. (Ord. 2088)

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### **8-1-17: NEW WATER SERVICE CONNECTIONS:**

No unauthorized person shall uncover, make any connection to a city water main or service line or appurtenance thereof without first obtaining authorization from the city. The granting of said authorization shall be contingent upon compliance with specifications, plans and conditions established by the city.

All new water meters shall be installed by the city or its duly authorized representative. The city shall maintain a schedule of estimated costs for installation of publicly owned water service lines, meters and appurtenances. Said schedule shall be adjusted periodically as is necessary to offset varying materials and labor costs.



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Construction of city water service lines within new subdivisions and developments shall be the responsibility of the developer. (Ord. 2088)

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### **8-1-18: PRIVATE WATER SERVICE LINE:**

All workmanship and materials used in the installation of private water service lines shall conform to city specifications and codes. The furnishings of all labor and materials shall be the sole responsibility of the owner. (Ord. 2088)

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### **8-1-19: PRIVATE FIRE SERVICE CONNECTION:**

All materials and workmanship used in the installation of private fire service connection lines shall conform to city specifications and adopted code. The furnishing of all labor and materials shall be the sole responsibility of the owner. A Nampa city engineering or water division inspector must witness any fire line tap. Only a contractor approved by the city of Nampa engineering division may perform a fire line tap on a city water main, with one exception: The Nampa city water division may perform the fire line tap for a contractor upon receipt of a fire line tap fee. A copy of the current fire line tap fee is and shall be kept on file with the city. (Ord. 2088; amd. Ord. 3071)

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### **8-1-20: UNAUTHORIZED USE:**

It shall be unlawful for any person, except one duly authorized by the city, to operate, interfere with, or connect anything to or modify or change any portion of the city water system, i.e., hydrants, valves, pipes, shutoff valves, ditches. Further it shall be unlawful for any person to obstruct the access to any fire hydrant or water system appurtenances.

Violation of this section is declared to be unlawful or an offense, the same shall be a misdemeanor and shall be punished by applicable fines and jail time in accordance with currently adopted state law. (Ord. 3844, 1-5-2009)

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### **8-1-21: WASTE OF DOMESTIC WATER:**

It shall be unlawful for any water user to waste water or allow it to be wasted by imperfect water stops, valves or leaky pipes that are not under the jurisdiction of the city, or to permit the malicious or wilful consumption of water, having no beneficial use. The city, based on meter readings, will make a determination of where water



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has been wasted and shall notify the user of that determination. It shall be the user's responsibility to make the necessary repairs, or to institute actions that will correct the situation within sixty (60) days of the city's notification to the user. All costs incurred, including the cost of pumping wasted water and any repairs shall be the responsibility of the user. (Ord. 2088)

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### **8-1-22: WASTE OF IRRIGATION WATER:**

It is and shall be unlawful for any person to allow or permit the waste of irrigation water by allowing said water to flow on or upon any street, alley or other public right of way in the city, or by allowing said water to flow on or upon adjacent or adjoining property so as to cause unnecessary inconvenience or expense to the owner of such adjacent or adjoining property or by using more of said water than good husbandry requires for the maintenance and cultivation of the premises being irrigated.

When it has come to the attention of the city that a wasting of water has occurred, the city shall notify the user of that determination. It shall then be the user's responsibility to make the necessary repairs, or to institute actions that will correct the situation within forty eight (48) hours of the city's notification to the user. If the situation has not been corrected or is repeated, then the city may fine and/or prosecute the user. Violation of the provisions of this section shall constitute an infraction per violation.

This section may be enforced by the issuance of an irrigation citation by a duly authorized representative or enforcement officer to the property owner or responsible party who caused the wasting of irrigation waters. Said citation is intended to discourage repeat offenders and constant abusers from waste and is not intended to penalize the regular and otherwise productive use of municipal irrigation waters. (Ord. 3439, 4-18-2005)

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### **8-1-23: USE OF DOMESTIC WATER FOR IRRIGATION:**

It shall be unlawful to use or supply domestic water or cross connect domestic water lines with pressure irrigation lines in order to furnish irrigation service to any property within the city of Nampa, except under the following circumstances:

A. No pressure irrigation system, whether private or city owned and operated, is immediately available, as determined by the city engineer, to any certain property in question; and

B. A dedicated meter and a backflow device are integrated into the irrigation water delivery system to any particular property; and





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C. Appropriate permits are issued and obtained by the installer of the backflow device from the city approving its emplacement. Only appropriately licensed individuals shall be/are authorized to emplace said devices.

Said devices shall be certified by a licensed individual on a yearly basis, in accordance with the clean water act, by a state of Idaho certified and licensed backflow specialist; and such certification shall then be forwarded to the city of Nampa. Failure to comply may be cause for the city to, at its option, terminate service, repair, or replace the device and assess all costs to the corresponding property owner from whom the reparation was made. (Ord. 2088)

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### **8-1-24: USE OF CITY WATER REQUIRED:**

A. Connection To City System; Exception: The owner or occupant of any house, building or property used for residential, commercial, industrial, governmental or recreational use, or any other purpose, situated within the city which is abutting on or having a permanent right of access to any street, alley or right of way in which there is located a city water line is hereby required to cease using any other water system and at his expense to connect such building directly with the city water in accordance with the provisions of this chapter, within fifteen (15) calendar days after the date of official notice from the city to do so; provided, however, that said city water is within three hundred feet (300') of any property line where said building to be served is located. Provided, further, however, properties which are served by private systems on the effective date hereof, and properties annexed into the city at the request of the city and not the owner thereof which have their own water system, are excepted from this requirement until such systems fail. A property owner may request to be connected to the city water system at any time at their own expense.

B. Disconnection Of Private System Required: At such time as the city water system becomes available to the property served by the private water system, and the owner or tenant connects his property to city services as required, it is mandatory that the private water supply is not connected or cross connected in any way to the water lines served by the city water system. The disconnection of the private water supply line shall be inspected and approved by the waterworks superintendent or his designated representative.

C. Disconnection From City Water System Prohibited: Once connected to the city water system, it shall be unlawful to disconnect from the city water system. (Ord. 3293, 1-5-2004)

[http://sterlingcodifiers.com/codebook/index.php?book\\_id=597&section\\_id=728141](http://sterlingcodifiers.com/codebook/index.php?book_id=597&section_id=728141)

### **8-1-25: IRRIGATION CITATIONS AND PROCEDURE; FAILURE TO PAY CITATION AN INFRACTION; FINES:**



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A. Any duly authorized water department representative or enforcement officer observing a violation of the provisions of this chapter may leave upon the violating premises or serve upon a responsible party an irrigation citation which shall provide the citation number, the date and hour, property address and location, nature of violation, fine amount, and the enforcement party's or designated person's name or identification number. The irrigation citation shall notify the property owner or responsible party of the fine for the violation and the method of payment. In the event that an irrigation violation has not been remedied within twenty four (24) hours after the first violation, additional irrigation citations may be served for each day's continuing violations. When the identity of the responsible party cannot be determined, the owner or person or the corporation in whose name the real property upon which the violation occurs is registered or the named lessees in a rental or lease agreement of said premises shall be presumed prima facie responsible for said violation.

B. In order to eliminate burdening courts with misdemeanor violations of irrigation ordinances and to eliminate insofar as possible public inconvenience, each person receiving an irrigation citation under this chapter shall pay at city hall the appropriate fine for the irrigation violations for which an irrigation citation may be issued, as listed in this section.

1. Overuse/excessive use of irrigation waters.
2. Allowing irrigation water to be wasted by running into depressions or dry channels so that the same cannot be used for irrigation purposes.
3. Allowing irrigation water to run onto public streets and roadways.
4. Second irrigation violation within thirty (30) days of the first violation.

C. Fines for irrigation violations listed in this chapter shall be established by resolution of the council upon recommendation of the chief of police and the city water department.

D. Any person committing third, fourth or subsequent violations of the irrigation ordinance within thirty (30) days of the first violation shall be deemed guilty of a misdemeanor.

E. Upon the failure of the owner or responsible party to pay the required fine within seven (7) calendar days, the chief of police, enforcement officer or designated representative may, after giving written notice of intent to cite the irrigation violation as an infraction, file an infraction citation or complaint with the magistrate division of the district court against the owner of the land or responsible party cited for the violation of this chapter. Written notice to the owner or responsible party is deemed sufficient if mailed to the last known address of such person. The complaint may be signed after seven (7) days from the date of notice. (Ord. 3439, 4-18-2005)

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### **8-1-26: LATECOMER FEES:**

The city of Nampa, upon the connection of water service and/or sanitary sewer service to property owned by  
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any person other than the developer of that property which contributed to the construction of the trunk water line and/or trunk sewer line servicing that property and entered into a sewer or water improvement reimbursement agreement or latecomer fees agreement with the city of Nampa (collectively the "agreement"), will, upon the written request of the developer, pay to the developer pursuant to the agreement and from the special reimbursement account established by the city pursuant to the agreement all water main connection charges and/or sewer main connection charges collected by the city from the owner of such property. Such right to reimbursement shall terminate with respect to any water main charge and/or sewer main charge collected by the city after the expiration of ten (10) years from the date of the agreement and all funds which remain unreimbursed at the expiration of such ten (10) year period will be forfeited to the city's department of public works to be used for public works projects. (Ord. 3808, 7-21-2008)

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### **8-1-27: CLEARANCE OF FIRE HYDRANTS:**

Fire hydrants must remain visible without obstruction from any city right of way at all times. Objects or types of obstruction include, but are not limited to, posts, fences, vehicles, natural plant, tree and shrub growth, rubbish, landscaping, solid waste, storage and other materials. Fire hydrants shall be painted only safety yellow and the fire department may paint the outlet caps to indicate the volume of water available from the hydrant.

The minimum clearance shall be three feet (3') around the circumference of fire hydrants at all times.

Violation of this section is declared to be unlawful or an offense, the same shall be a misdemeanor and shall be punished by applicable fines and jail time in accordance with currently adopted state law. (Ord. 3844, 1-5-2009)

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