

ORDINANCE NO. \_\_\_\_\_

**T E C H N I C A L A M E N D M E N T S**

1 AN ORDINANCE amending Chapter 17.02 of the Lincoln Municipal Code relating to  
2 Water Definitions, Chapter 17.10 relating to Connections to Water System, Chapter 17.18 relating  
3 to Mains, Pipes, and Valves, Chapter 17.22 relating to Water Use Charge, 24.38 relating to On-site  
4 Wastewater Treatment Systems and Chapter 24.60 relating to Sanitary Sewer Taps by amending  
5 Sections 17.02.120, 17.10.020, 17.10.120, 17.18.150, 17.22.020 and 17.22.025 to gender-neutralize  
6 language; amending Section 17.10.030 to update language; amending Section 17.18.050 to clarify  
7 curb stop requirements; repealing Section 17.18.070 to eliminate obsolete language concerning  
8 remote meter reading devices; amending Section 17.18.140 to clarify excavation and backfill  
9 requirements; amending Section 24.38.080 by clarifying and updating language pertaining to sewage  
10 disposal; and amending Section 24.60.010 by clarifying requirements for installation of sanitary  
11 sewer service; and repealing Sections 17.02.120, 17.10.020, 17.10.030, 17.10.120, 17.18.050,  
12 17.18.140, 17.18.150, 17.22.020, 17.22.025, 24.38.080, and 24.60.010 of the Lincoln Municipal  
13 Code as hitherto existing.

14 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

15 Section 1. That Section 27.02.120 of the Lincoln Municipal Code be amended to read  
16 as follows:

17 **17.02.120 Director.**

18 Director shall mean the Director of Public Works and Utilities of the City, or his/her  
19 authorized deputy, agent, or representative.

20 Section 2. That Section 17.10.020 of the Lincoln Municipal Code be amended to  
21 read as follows:

1     **17.10.020     Application for Service.**

2             Every person desiring to connect their property with a main, or desiring to replace or relocate  
3 any supply connection, supply pipe, or service pipe thereto connected with a main shall make  
4 application to the Director for a permit for doing said work. Each application for such permit shall  
5 be made in writing on forms to be furnished by the Director and shall state the size pipe to be used,  
6 the legal description and the street address of the property to be supplied with water, the nature of  
7 water usage, the full name of the owner of such property, and the name of the registered master  
8 plumber or fire suppression system contractor who is to do said work. The application for service  
9 shall be signed by both the owner of the property to be served or his/her authorized representative  
10 and the registered plumber who will perform the work.

11             Section 3. That Section 17.10.030 of the Lincoln Municipal Code be amended to  
12 read as follows:

13     **17.10.030     Permit.**

14             Upon the filing of the application required by Section 17.10.020, and the payment of the  
15 permit fee, a permit will be issued to do the necessary work if such application in all respects  
16 complies with existing ordinances administered by the Lincoln Water System. The permit will be  
17 issued or denied within fifteen working days of the filing of the application. The registered plumber  
18 or fire suppression system contractor shall notify the Director when such permitted work is ready  
19 for inspection, and said work shall not be backfilled until an inspection by the Director is made  
20 completed. Such plumber or contractor shall also furnish all other data required by the Director.  
21 No person other than the Director shall, under any circumstances, tap the main. When required by  
22 the Director, a backflow prevention assembly of the type approved by the Lincoln Water System  
23 shall be considered a condition of the permit.

24             Section 4. That Section 17.10.120 of the Lincoln Municipal Code be amended to  
25 read as follows:

1 **17.10.120 Abandonment of Service.**

2 Whenever a water service is abandoned or has been replaced by another water service, it  
3 shall be the duty of the owner of the premises served by such service to have the old service properly  
4 abandoned at the main at their own expense before making a new connection for a new service.  
5 Such abandonment shall be accomplished subject to any regulations adopted by the Director. In the  
6 event of the failure of the property owner of the premises to properly abandon the service, the  
7 Director shall have authority to make such abandonment and charge the same against the property  
8 served by the old service. Abandonment of service shall include, but not be limited to the proper  
9 removal of meter vaults, stop boxes, taps, and valve boxes.

10 The Director, at his/her discretion, may permit such person to agree in writing to have such  
11 abandonment made prior to a specified future date; provided, that such person furnishes the city with  
12 a bond conditioned upon the fact that in the event such person fails for any reason to have such  
13 abandonment made and be reimbursed for the actual cost thereof up to the full principal amount of  
14 the bond. Such bond shall be either a cash bond or a bond written by a corporate surety company  
15 authorized to do business in the State of Nebraska for the performance of such work. Such bond  
16 shall be in a principal amount determined by the Director sufficient to cover the cost to the city of  
17 having such abandonment made, and shall be subject to the approval of the City Attorney.

18 Section 5. That Section 17.18.050 of the Lincoln Municipal Code be amended to  
19 read as follows:

20 **17.18.050 Curb Stop.**

21 There shall be a curb stop connected to every three-fourths inch and one inch supply pipe.  
22 The curb stop shall be supplied by the registered master plumber in accordance with the following  
23 specifications:

24 Curb stop shall be Minneapolis pattern ~~oriseal or ball~~ valve, or an equal type approved by  
25 the Director, full round way, straight-through flow with Teflon-coated plug or ball.

26 Each curb stop and fitting shall be of a size not less than the size of the supply pipe. Each  
27 curb stop shall be placed in the public right-of-way between the sidewalk and the curb of a public  
28 street or in a similar location in a private street system, except that if the main is located in an alley  
29 then the curb stop shall be placed within two feet inside the property line. In townhouse  
30 developments, individual stop boxes shall be located a minimum of five feet from any building.  
31 Every curb stop shall be enclosed in a stop box having a tight-fitting lid, all of which shall be  
32 supplied by the plumber in accordance with the following specifications:

1 Stop box shall be cast-iron Minneapolis pattern type with one and one-fourths inches  
2 diameter upper section and brass pentagon head plug.

3 Section 6. That Section 17.18.070 of the Lincoln Municipal Code be and the same  
4 is hereby repealed.

5 ~~**17.18.070 Remote Meter Reading Device.**~~

6 ~~———— A remote meter reading device furnished by the Lincoln Water System shall be installed at~~  
7 ~~any customer water service installation where required by the Director, the location of which shall~~  
8 ~~be determined by the Director.~~

9 Section 7. That Section 17.18.140 of the Lincoln Municipal Code be amended to  
10 read as follows:

11 **17.18.140 Excavations.**

12 Streets and public right-of-way shall be opened in a manner which will occasion the least  
13 inconvenience to the public and permit the uninterrupted passage of surface water along the gutters.

14 All excavations and backfill shall be made in compliance with the requirements of Lincoln  
15 Municipal Code Title 14 and all other applicable municipal, state, and federal regulations.

16 Section 8. That Section 17.18.150 of the Lincoln Municipal Code be amended to  
17 read as follows:

18 **17.18.150 Director Relieved from Personal Liability.**

19 The city shall hold harmless the Director when acting in good faith and without malice, from  
20 all personal liability for any damage that may accrue to any person or property as a result of any act  
21 required or authorized by this title, or by reason of any act of omission of the Director in the  
22 discharge of his/her duties hereunder. Any suit brought carrying out the provisions of this title shall  
23 be defended by the City's Law Department, or by the city's insurance carrier, if any, through final  
24 determination of such proceedings.

25 Section 9. That Section 17.22.020 of the Lincoln Municipal Code be amended to  
26 read as follows:

1 **17.22.020 Billing Cycles.**

2 For the convenient and economical collection of water use charges, the Director shall divide,  
3 in such manner as he/she shall deem fit, the city into billing cycles, the water use charges in each  
4 such billing cycle to be billed at least once every two months.

5 Section 10. That Section 17.22.025 of the Lincoln Municipal Code be amended to  
6 read as follows:

7 **17.22.025 Combined Meter Readings.**

8 When water is furnished to a single premises from two or more water services and the  
9 delivery is registered by two or more meters, and all the water is used by such customer for  
10 himself/herself, his/her household, or business, the charge for the water so furnished may be  
11 computed by adding the delivery as shown by each of the said meters and the minimum monthly  
12 charges for each meter and may be billed to the customer as a single charge.

13 Section 11. That Section 24.38.080 of the Lincoln Municipal Code be amended to  
14 read as follows:

15 **24.38.080 General Provisions.**

16 (a) Sewage from any building ~~or premises~~ shall be discharged directly into the abutting  
17 community sewerage system when the system is available and within 300 feet from the building ~~or~~  
18 ~~premises measured along a street, alley, or easement to the encasement of~~ to the sewer system.

19 (b) When the conditions of (a) above do not exist, an on-site wastewater treatment  
20 system, except privies and the restricted use of chemical toilets, may be used.

21 (c) Whenever conditions change and the conditions of (a) above can be met, an on-site  
22 wastewater treatment system existing at that time shall be abandoned and the building or premises  
23 served shall discharge its sewage directly into the community sewage system; such connection to  
24 the community sewerage system shall be accomplished in compliance with the Lincoln Plumbing  
25 Ordinance and shall be completed within six months of the day the community sewage system  
26 becomes available.

27 (d) Any person who abandons or discontinues the use of an on-site wastewater treatment  
28 system shall, within thirty days of the abandonment or discontinuance of use, have the contents of  
29 tanks or pits or such systems removed and disposed of in compliance with Section 17 of the design  
30 standards adopted pursuant to this chapter. Any part of a discontinued system shall be abandoned  
31 in such a manner as not to create a health or safety hazard.

1 Section 12. That Section 24.60.010 of the Lincoln Municipal Code be amended to  
2 read as follows:

3 **24.60.010 Registered Master Plumber to Install Sewer to Tap.**

4 No person other than a registered master plumber shall install the building's sanitary building  
5 sewer service from the end of the building's internal sanitary building drain plumbing system to its  
6 point of connection to the public sanitary sewer main.

7 Section 13. That Sections 17.02.120, 17.10.020, 17.10.030, 17.10.120, 17.18.050,  
8 17.18.140, 17.18.150, 17.22.020, 17.22.025, 24.38.080 and 24.60.010 of the Lincoln Municipal  
9 Code as hitherto existing be and the same are hereby repealed.

10 Section 14. Pursuant to Article VII, Section 7 of the City Charter, this ordinance  
11 shall be posted on the official bulletin board of the City, located on the wall across from the City  
12 Clerk's office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice of  
13 passage and such posting to be given by publication one time in the official newspaper by the City  
14 Clerk. This ordinance shall take effect and be in force from and after its passage and publication  
15 as herein and in the City Charter provided.

Introduced by:  
\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2013:  _____ Mayor
---