**AMENDMENT 2015-5**

**AN ORDINANCE AMENDING AND REENACTING SECTION 7.0218 OF ARTICLE 2, CHAPTER SEVEN OF THE ORDINANCES OF THE CITY OF GLEN ULLIN RELATING TO CONTROL AND MAINTENANCE OF CURB STOPS AND PENALTIES FOR MISUSE OF WATER SYSTEM**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLEN ULLIN AS FOLLOWS:

**Section 1. Amendment**

 Section 7.0218 of the Ordinances for the City of Glen Ullin is hereby amended and readopted to read as follows:

7.0218 Curb Stop Specifications, Ownership and Maintenance, Penalty for Tampering

1. There shall be a curb stop 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 stops 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 stops attached to every supply pipe at some point between the curb stop 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 stop in the pipe on the house side of the meter.
2. The City shall have ownership of and be responsible for repair and maintenance for the water main line, the stub from the main water line to the curb stop, and the curb stop itself. The property owner shall be responsible for any repairs and maintenance of the water line from the curb stop into the owner’s premises. For repairs to or replacement of the curb stop, the City shall be responsible only for the cost of the repairs or replacement and for replacing the disturbed soil, and shall not be responsible for any damaged vegetation or structures, such as trees or driveways, which are incidentally damaged due to the location of the curb stop on the property.
3. Penalty. A person may not willfully manipulate a curb stop to turn on or shut off a City water supply connection to any property. A person violating this section is guilty of a Class B Misdemeanor for the first or second offense within a five-year period, and a Class A Misdemeanor for a third or subsequent offense within a five-year period. Upon conviction for a first offense under this section, the sentence must include a fine of at least five hundred dollars; for a second offense within five years, the sentence must include a fine of at least one thousand dollars.

**Section 2. Penalty Section**

7.0218(3) A person may not willfully manipulate a curb stop to turn on or shut off a City water supply connection to any property. A person violating this section is guilty of a Class B Misdemeanor for the first or second offense within a five-year period, and a Class A Misdemeanor for a third or subsequent offense within a five-year period. Upon conviction for a first offense under this section, the sentence must include a fine of at least five hundred dollars; for a second offense within five years, the sentence must include a fine of at least one thousand dollars.

 **Section 3. Effective Date**

 This Ordinance shall become effective upon final passage hereof and publication of the Amendment in the official City Newspaper.

 Adoption of the foregoing Ordinance was moved by Tina Haverluk, seconded by Kevin Kloosterman; the following Council Members voting for: Duppong, Glasser, Haverluk, Kloosterman and D Martwick, and none voting against, the Ordinance was approved and duly adopted this 12th day of October, 2015.

 CITY OF GLEN ULLIN:

 Ray Haverluk, Mayor

ATTEST:

Vicki Horst, City Auditor

First Reading: September 14, 2015

Second Reading and

Final Passage: October 12, 2015

Publication date: October 21, 2015