

ALBION MUNICIPAL CODE

ARTICLES I & II - CHAPTER 6 - PUBLIC UTILITIES

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*FULL COPY OF CHAPTER 6 AVAILABLE UPON REQUEST

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ARTICLE I – UTILITIES GENERALLY

SECTION 6-101: MANDATORY UTILITY HOOKUP

All persons whose property is inside the corporate limits of the City and abuts a water and/or sewer main that is now, or hereafter may be laid, shall be required, upon notice of the City Council and/or the Water and/or Sewer Commissioner, to be connected with the city water and/or sewerage systems.

Every building hereafter erected with inside water and sewerage facilities, and located upon property which is inside the corporate limits of the City and abuts a water and/or sewer main, shall be required to be connected with the public water and/or sewer systems at the time of its construction.

In the event that any property owner, occupant, or lessee shall neglect, fail or refuse, to make such connection within a period of ten days after notice has been given to him/her to do so by certified mail or by publication in a newspaper in or of general circulation in the City, the Water Commissioner and/or Sewer Commissioner and/or City Council shall have the power to cause the same to be done, to assess the cost thereof against the property, and to collect the assessment thus made in the manner provided for collection of other special taxes and assessments.

(Ref. 17-537, 17-149 RS Neb.)

SECTION 6-102: GARBAGE HAULING AND DISPOSAL; SERVICE MANDATORY

The City Council, in the interest of protecting the general health of the City, has deemed it necessary to enter into a contract for the hauling and disposal of garbage, rubbish and waste from the City and to make this service mandatory on all businesses and all persons residing within the city limits. As solid waste disposal service is deemed necessary to protect the general health of the City, proof of actual use of the service by the consumer shall not be a condition precedent to collecting the service charge for garbage hauling and disposal. Same service shall be provided at least once a week.

Exclusions from the trash collection system may be granted on a case by case basis for any consumer requiring specialized waste disposal services, if the City Clerk and/or City Council determine that the location or business requesting exclusion has provided necessary proof that solid waste disposal service is contracted for and provided by a third party.

Exclusions from the trash collection system may also be granted on a case by case basis due to a lack of occupancy or use of property in excess of thirty days.

Rates for said service may be changed at any time by resolution of the City Council.

(Ref. 17-123, 19-2105, and 19-2106 RS Neb.)

SECTION 6-103: SINGLE PREMISE; WATER AND SEWER

Every consumer shall have his/her own independent water and/or sewer service line connected to the public mains, installed as specified by Articles III and IV of this Chapter.

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Every premise supplied with water from the public water system shall have its own water meter, installed as specified by Article III of this Chapter.

No consumer shall supply water to another individual or business nor shall any consumer allow another individual or business to take water away from his/her premise. A separate and independent water service line and/or sewer service line shall be provided for every building, except where one building stands at the rear of another on the same interior lot and no private water service line and/or sewer service line is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the water service line and/or sewer service line from the front building may be extended to the rear building and the whole considered as one water service and/or one sewer service provided that all water consumed through such service shall be metered; furthermore, the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

Existing shared water service pipes and/or sewer service lines may continue to exist until the consumer or consumers:

- 1) Voluntarily elect to separate their service line(s) from the shared service line so as to conform with this section at their own cost; or,
- 2) Transfer ownership of any property or properties upon which a shared water and/or sewer service line serves, at which time all consumers' service lines shall conform to this section at their own cost.

All such work shall be considered repairs and maintenance and shall conform to sections 6-306 and 6-406 of the Albion City Code regarding repairs and maintenance of private Water and Sewer lines, respectively.

The City may file with the County Clerk a notice indicating that a property has a shared water and/or sewer connection. This shall be filed in the miscellaneous records of the County Clerk against all real estate which is party to the shared connection. This notice shall be for the purpose of notifying any potential purchaser of the shared connection. This notice shall include the following:

- a) Names and mailing addresses of the property owners who share in the shared connection at the time of filing;
- b) Legal descriptions of the parcels which the shared connection services;
- c) Text of Section 6-103 of the Albion Municipal Code;
- d) Contact information for the City of Albion

If and when any shared connection is separated, the City shall file a subsequent notice with the County Clerk indicating that the connection has been separated which shall include the legal descriptions of all parcels which were previously served by the shared connection but now have an independent water and/or sewer service. The City shall be responsible for any fees associated with the filing of these notices. (Ref. 17-537, 17-149 RS Neb.)

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SECTION 6-104: CONSUMER'S APPLICATION FOR UTILITIES

Every person or persons desiring a supply of water, sewerage connection, and/or solid waste disposal must make application therefor to the Utility Billing Clerk upon the blanks to be furnished by him/her for that purpose. The applicant shall be required to pay a utility service deposit at the time of application {See SECTION 6-105}. Water may not be supplied to any house or private service pipe except upon the supervision of the Water Commissioner. Nothing herein shall be construed to obligate the City to provide water service, sewer service, and/or solid waste disposal to non-residents. No applicant for City provided utility services shall be denied service because of unpaid bills for similar services which are not collectible at law because of statutes of limitations or discharge in bankruptcy proceedings. (Ref. 17-537, 17-149, 19-2106, 70-1601 RS Neb)

SECTION 6-105: SERVICE DEPOSIT

A service deposit in such amount as set by resolution of the City Council shall be held by the Utility Billing Clerk to the credit of such consumer. The service deposit may be applied by the Utility Billing Clerk to the payment of any fine, penalty or forfeiture incurred by such consumer during the period he/she used the water and sewer service, or to any balance due the City at the time of the discontinuance of such service. Any remaining deposit at the time of discontinuance of service shall be refunded to the consumer.

SECTION 6-106: UTILITY CONTRACT

The City through its water, sewerage, and/or solid waste disposal systems shall furnish water, sewer, and/or solid waste disposal services to persons within its corporate limits whose premises abut a street or alley in which a commercial main now is, or may hereafter, be laid. The City may furnish water, sewer, and/or solid waste disposal services to persons within its corporate limits whose premises do not abut a street or alley in which a city commercial main is now, or may hereafter be, laid, , as and when, according to law, the City Council may see fit to do so. The rules, regulations and utility rates hereinafter named in this article shall be considered a part of every application hereafter made for water, sewer, and/or solid waste disposal services and shall be considered a part of the contract between every consumer now or hereafter served. Without further formality, the making of application on the part of any applicant or the use or consumption of any of the aforementioned utility services by present consumers thereof and the furnishing of utility services to said consumer shall constitute a contract between the consumer and the City, to which said contract both parties are bound. If the consumer shall violate any of the provisions of said contract, or any reasonable rules and regulations that the City Council may hereafter adopt, the Water Commissioner or his/her agent may cut off or disconnect the water service from the building or premise or place of such violation as provided by law and further defined in Sections 6-112 and 6-113. No further connection for water service to said building, premise or place shall again be made, except by order of said Water Commissioner or his/her agent. Whenever water service is disconnected and/or deactivated, any applicable sewer service also ceases.

In the case that the City is providing consumer with solid waste disposal services only and discontinuance of service as defined in 6-112 is not a viable remedy all other legal remedies, including those outlined in section 6-115, shall still apply.

(Ref. 17-537, 17-149, 19-2106, 19-2701 RS Neb.)

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SECTION 6-107: UTILITY SERVICE CONTRACTS, NOT TRANSFERABLE; VACANCY; ABANDONMENT
Contracts for city provided utility services are not transferable. Any person wishing to change from one location to another shall make a new application and sign a new contract. Any person assuming utilities for another at a given address must make a new application and sign a new contract. If any consumer shall cease to own or occupy the premise where service is furnished, or if said premise is destroyed by fire or other casualty, he/she shall at once inform the Water Department who shall cause the water service to be shut off from said premise. If the consumer should fail to give such notice, he/she shall be charged for all applicable utility services provided to said premise until the Water Department is advised of such circumstances. Violation of any of the above terms may result in disconnection of water service as provided by law and further defined in Sections 6-112 and 6-113. (Ref 17-537, 17-149, 19-2106 RS Neb)

SECTION 6-108: RATES AND COLLECTIONS

The City Council has the power and authority to fix the utility rates by resolution for the use of water, sewer, and solid waste disposal services provided by the City. All such rates shall be on file for public inspection at City Hall. The Utility Billing Clerk shall bill the consumers and collect all money received by the City on the account of the respective utility department. He/she shall faithfully account for and pay to the City Treasurer all revenue collected by him/her, making his/her receipt therefore in duplicate, keeping one and filing the other in the utility departments' official records. (Ref. 17-540, 17-542, 17-925.01, 17-925.02, 19-2106 RS Neb.)

SECTION 6-109: MINIMUM UTILITY RATES

All utility consumers shall be liable for the minimum flat rate provided by resolution unless and until the consumer shall, by written order, direct the water commissioner to shut off the utilities as provided by law and further defined in Sections 6-112 and 6-113., in which case he/she shall not be liable thereafter for utilities until the utilities are turned on again. (Ref. 17-537, 17-542, 17-925.01, 17-925.02, 19-2106 RS Neb.)

SECTION 6-110: WATER TESTING AND UTILITY IMPROVEMENTS SURCHARGE

There is hereby levied a water testing and improvements surcharge per meter in service as established by resolution of the City Council.

Revenue received from the water testing and improvements surcharge shall be used for water and wastewater testing mandated by the State of Nebraska and the federal government, and for all other testing deemed necessary for the safe operation of the city waterworks and city sewerage system, or for city water and sewer utility improvement projects. The revenues received shall be deposited in each of the utility departments' respective accounts and official records as specified in the City of Albion utility rates as established by resolution of the City Council.

The City Council may, when deemed prudent, provide for the refunding of unused testing revenues to the consumer. The manner and type of refund shall be determined by the resolution of the City Council.

The water testing and improvements surcharge shall be considered part of the water and sewer rate of the City and failure to pay the surcharge shall be treated the same as other delinquent water and sewer bills.

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(17-537, 17-149, 17-925.01, 17-925.02 RS Neb.)

SECTION 6-111: UTILITY BILLS

All fees for utility services shall be due and payable at the same time via a combined utility bill. Utility bills shall be due and payable bi-monthly at the office of the Utility Billing Clerk. The Water and Sewer Commissioners shall read, or cause to be read, the meters during the second or third week of the month prior to the due date of the bill. The utility bills shall be sent bi-monthly on the 1st business day of the billing month via first class mail or by electronic delivery if the subscriber has specifically elected to receive his or her bills and/or notices by electronic delivery. All utility accounts are due the 20th of month that the bill is sent, or the next business day thereafter should the 20th of the month fall on a weekend or holiday. Final bills on closed utility accounts will be mailed within 7 business days from the notice to close the utility account and shall be due 20 days from the date mailed, or the next business day if such date falls on a weekend or holiday.

Any utility bills not paid in full by the due date will be deemed delinquent and will be assessed a service charge of 10% of the bill or \$25.00, whichever is lesser, on the following business day, weekends and holidays excluded. If the account remains delinquent 10 calendar days after the delinquent date, an additional 10% of the total bill or \$25.00, whichever is lesser, shall be assessed on the following business day unless the same account maintains an unpaid balance of \$25.00 or less. Any and all accounts maintaining an unpaid balance five (5) business days preceding the 1st day of the next billing cycle shall be assessed a cycle end 10% fee of the unpaid balance, with the exception of final bills which are subject to the cycle end 10% fee 30 days after the final bill due date. If an account remains delinquent for 60 days or more, a lien may be assessed upon the real estate in accordance with Section 6-115 in the amount of the unpaid balance of the utility bill, an additional service charge set by resolution of the City Council, and any future charges associated with the account until said account is paid in full. If approved by both the Utility Billing Clerk and City Administrator, service charges for delinquent accounts may be waived on a case-by-case basis upon written request by the consumer.

The Utility Billing Clerk shall notify all owners of the premises or their registered agents whenever their tenants or lessees are more than 9 days delinquent in the payment of their utility bill via first class mail or by electronic delivery if the subscriber has specifically elected to receive his or her bills and/or notices by electronic delivery.

(Ref. 17-149, 17-537, 17-538, 17-542, 17-925.01, 17-1925.02, 19-2106 RS Neb.)

SECTION 6-112: DISCONTINUANCE OF SERVICE

The City shall have the right to discontinue utility service and remove its property for any utility account that has been delinquent for more than 20 days. Upon being deemed delinquent as herein defined, the Utility Billing Clerk shall give written notice of such delinquency to the consumer as provided in Section 6-113 and shall demand immediate payment. Any time that discontinuance of service is deemed necessary, the Utility Billing Clerk may assess additional disconnection and/or reconnection fees, set by resolution of the City Council and on file at City Hall to compensate the City for the additional time and resources necessary to disconnect and/or reconnect utility service. Utility service shall not be restored to any property until all unpaid balances and fees are paid.

(70-1605 RS Neb.)

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SECTION 6-113: DISCONTINUANCE OF SERVICE, NOTICE PROCEDURE

Before termination for nonpayment of any past due account, the Utility Billing Clerk shall first give notice to any domestic subscriber, as defined by Nebraska Revised State Statute 70-1602, whose service is proposed to be terminated in person, by first-class mail, or by electronic delivery if the subscriber has specifically elected to receive such notices by electronic delivery.

If notice to such domestic subscriber is given by first class mail, such mail shall be conspicuously marked as to its importance. Service shall not be discontinued for at least seven days after notice is given, weekends and holidays excluded. As to any subscriber who has previously identified a designated third party to receive such notices, such notice of proposed termination shall be given to the designated third party in the same manner as identified above.

The notice shall contain the following information:

- 1) The reason for the proposed disconnection;
- 2) A statement of the intention to disconnect unless the domestic subscriber either pays the bill or reaches an agreement with the Utility Department regarding payment of the bill;
- 3) The date upon which service will be disconnected if the domestic subscriber does not take appropriate action;
- 4) The name, address, and telephone number of the employee or department to whom the domestic subscriber may address an inquiry or complaint;
- 5) The domestic subscriber's right, prior to the disconnection date, to request a conference regarding any dispute over such proposed disconnection;
- 6) A statement that the utility may not disconnect service pending the conclusion of the conference;
- 7) A statement to the effect that disconnection shall be postponed or prevented upon presentation of a duly licensed physician's, physician's assistant's, or advanced practice registered nurse's certificate which shall certify that the domestic subscriber or resident within such subscriber's household has an existing illness or handicap which would cause such subscriber or resident to suffer an immediate and serious health hazard by the disconnection of the utility's service to that household. Such certificate shall be filed with the Utility Billing Clerk within five days of receiving notice under this section, excluding holidays and weekends, and will prevent the disconnection of the utility services for a period of at least 30 days from such filing. Only one postponement of disconnection shall be allowed under this subsection for each incidence of non-payment of any past-due account;
- 8) The cost that will be borne by the domestic subscriber for restoration of service, including reconnect fees and payment of all past due account balances
- 9) A statement that the domestic subscriber may arrange with the City for an installment payment plan;
- 10) A statement to the effect that those domestic subscribers who are welfare recipients may qualify for assistance in payment of their utility bill and that they should contact their caseworker in that regard; and,
- 11) Any additional information not inconsistent with this section which has received prior approval from the City Council.

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No payment agreement nor Utility Department approved installment plan shall have a term greater than five (5) business days preceding the 1st day of the next billing cycle as established in Section 6-111: UTILITY BILLS. (Ref 70-1605 through 70-1607 Neb. RS)

This section shall not apply to any disconnection nor any interruption of service made necessary by the utility for reasons of repair or maintenance or to protect the health or safety of the domestic subscriber or of the general public. (Ref. 70-1615 RS Neb.)

SECTION 6-114: DISCONTINUANCE OF SERVICE; DISPUTE; PROCEDURE

A domestic subscriber may request a conference in regard to any dispute over a proposed discontinuance of service before an employee designated by the City to hear such matters. The employee designated by the City shall hear and decide all matters disputed by domestic subscribers. The subjects to be heard shall include matters relating to a disputed bill. Furthermore, a domestic subscriber may dispute the proposed discontinuance of water by notifying the City with a written statement that sets forth the reasons for the dispute and the relief requested. If a statement has been made by the subscriber, a conference shall be held before the City may discontinue service.

Upon notice to the employee designated by the City of any request for a conference by a domestic subscriber, the employee shall:

- 1) Notify the domestic subscriber, in writing, of the time, place, and date scheduled for the conference; and,
- 2) Hold a conference within fourteen days of the receipt of the domestic subscriber's request.

Such conference shall be informal and not governed by the Nebraska Evidence Rules. If the employee determines at the conference that the domestic subscriber did not receive proper notice or was denied any other right afforded under sections 70-1605 to 70-1615 of the Nebraska Revised Statutes or the Municipal Code, the employee shall recess and continue the conference at such time as the subscriber has been afforded his or her rights. Failure of a domestic subscriber to attend a scheduled conference shall relieve the City of any further action prior to the discontinuance of service. If a domestic subscriber contacts the City prior to the scheduled conference and demonstrates that failure to attend is for a legitimate reason, the City shall make a reasonable effort to reschedule the conference.

The employee of the City shall, based solely on the evidence presented at the conference, affirm, reverse, or modify any decision by the City involving a disputed bill which results in a threatened termination of utility service. The employee shall allow termination of utility service only as a measure of last resort after the utility has exhausted all other remedies less drastic than termination.

This section shall not apply to any disconnection or interruptions of service made necessary by the utility for reasons of repair or maintenance or to protect the health or safety of the domestic subscriber or of the general public. (Ref. 17-1615 RS Neb.)

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The Designated Employee for discontinuance of utility service disputes is:

Utility Billing Clerk
420 West Market Street
Albion, NE 68620
402-395-2803
Hours: M-F 7am-4pm, excluding Holidays

Any domestic subscriber may appeal an adverse decision of the employee to the City Clerk by providing a written appeal within five days of the conference.

The City Clerk shall schedule a hearing within fourteen days of the receipt of the written appeal. The same hearing will take place in the Council Chambers at Albion City Hall, 420 W. Market Street, Albion, NE 68620.

The City Clerk shall notify the domestic subscriber in writing by U.S. mail of the time, place, and date of the scheduled hearing.

Due to the time related to the appeal process, a domestic subscriber may “pay in protest” all outstanding fees, penalties, and reconnection fees in order to avoid disconnection prior to the appeal hearing. If the discontinuance of service decision is reversed and modified on appeal, a specified amount of these fees and penalties may be returned to the domestic subscriber.

At such appeal hearing, the Mayor, City Clerk, and Water Commissioner will hear the appeal of the domestic subscriber.

The domestic subscriber may:

- 1) Be represented by legal counsel or other representative or spokesperson;
- 2) Examine and copy, not less than three business days prior to such hearing, the City's file and records pertaining to all matters directly relevant to the dispute or utilized in any way by the City in reaching the decision to propose termination or to take other action which is the subject of the hearing;
- 3) Present witnesses and offer evidence;
- 4) Confront and cross examine such other witnesses as may appear and testify at the hearing; and
- 5) Make or have made a record of the proceedings at his or her own expense.

Upon hearing the appeal of the domestic subscriber, the Mayor, City Clerk, and Water Commissioner shall determine whether to affirm, reverse, or modify any decision associated with the discontinuance of service. Such decision shall be final.

(Ref 70-1608-1614 Neb RS)

This section shall not apply to any disconnection or interruptions of service made necessary by the utility for reasons of repair or maintenance or to protect the health or safety of the domestic subscriber or of the general public. (Ref. 70-1615 RS Neb.)

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SECTION 6-115: LIEN

In addition to all other remedies, if a consumer shall for any reason remain indebted to the City for utility services furnished, such utility bill due shall be considered a delinquent utility rent, which together with any future charges incurred until such account is paid in full, shall be declared a lien upon the real estate for which the same was used. The City Utility Billing Clerk shall present any account maintaining a delinquent utility rent for 60 days or more to the City Council; and after a public meeting conducted by the City Council, shall file with the County Clerk and County Treasurer a certified special assessment for utility rents against such lot or land in the manner provided by law.

It shall also be the duty of the Utility Billing Clerk on June 1 of each year to report to the City Council a list of all unpaid accounts due for utilities together with a description of the premise upon which the same was used.

(Ref 17-537, 17-538, 17-149, 19-2106 RS Neb)

SECTION 6-116: THEFT OF SERVICES

A person commits theft if he or she obtains any of the aforementioned utility services, which he or she knows are available only for compensation, by deception or threat or by false token or other means to avoid payment for the service.

A person commits theft if, having control over the disposition of utility services of others to which he or she is not entitled, he or she diverts such utility services to his or her own benefit or to the benefit of another not entitled thereto.

A person commits theft if, they:

- 1) connect any pipe or conduit supplying water, without the knowledge and consent of the City, in such manner that any portion thereof may be supplied to any instrument by or at which water may be consumed without passing through the meter made or provided for measuring or registering the amount or quantity thereof passing through it;
- 2) knowingly use or knowingly permit the use of water obtained unlawfully pursuant to this section;
- 3) reconnect water service without the knowledge and consent of the City of such service if the service has been disconnected pursuant to section 6-112; or,
- 4) willfully injure, alter, or by any instrument, device, or contrivance in any manner interfere with or obstruct the action or operation of any meter made or provided for measuring or registering the amount or quantity of water passing through it, without the knowledge and consent of the City of the water passing or intended to pass through such meter.

Proof of the existence of any wire, pipe, or conduit connection or reconnection or of any injury, alteration, interference, or obstruction of a meter is prima facie evidence of the guilt of the person in possession of the premises where such connection, reconnection, injury, alteration, interference, or obstruction is proved to exist.

A violation of this section shall be a Class III misdemeanor and may result in immediate disconnection of utility services, such disconnection and/or future reconnection of utility service may include fees as set by Resolution of the City Council of the City of Albion, Nebraska.(Ref 28-515 and 28-515.02 Neb RS)

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SECTION 6-117: DESTRUCTION OF PROPERTY

It shall be unlawful for any person to willfully or carelessly break, injure or deface any building, machinery, apparatus, fixture, attachment or appurtenance of the City waterworks system or City wastewater facilities. No person may deposit anything in a curb box or commit any act tending to obstruct or impair the intended use of any of the above mentioned property without the written permission of the City Utilities Department. (Ref. 17-149, 17-537 RS Neb.)

SECTION 6-118: INSPECTION

The Water Commissioner and/or Sewer Commissioner, or their duly authorized agents, shall have free access at any reasonable time to all parts of each premises and building to which water is delivered and/or to which is connected with the sewer system for the purpose of examining the pipes, fixtures and other portions of the system to ascertain whether there is any disrepair, unnecessary waste of water, or violation of this Chapter. (Ref. 17-149, 17-537 RS Neb.)

SECTION 6-119: COMPLAINTS

Any consumer feeling himself/herself aggrieved by reason of any controversy with the Utility Departments of the City of Albion may request in writing to appear before the City Council and present his/her grievance. Such complaint and/or grievance may be addressed administratively for resolution prior to the City Council meeting.

Any consumer who considers himself/herself aggrieved by being required to pay the charge demanded for the utility services may pay such charge under protest, in which event the City Clerk shall write on the receipt given such consumer the words "Paid under Protest." Such consumer may then present his/her verified claim in the manner provided for presenting claims to the City Council for a refund of the amount so paid under protest. Such claims shall then be considered by the City Council in the same manner as other claims against the City.

Disputes for discontinuance of service shall be addressed using procedures defined in SECTION 6-113 and SECTION 6-114 of the Albion City Code.

ARTICLE II – LICENSED PLUMBERS

SECTION 6-201: LICENSED PLUMBER DEFINED

The term "licensed plumber" as used in the ordinances of this city is hereby defined to denote any person to whom a plumber's license has been duly issued, as hereinafter provided, which has not been revoked or terminated by lapse of time.

SECTION 6-202: LICENSED PLUMBER; REQUIRED; WATER

It shall be unlawful for any person, firm or corporation to do any work upon the consumer water service and or/ consumer water supply pipe or any other portion of the plumbing system of any premise either within or without a building without first securing a plumber's license from the City Code Official. Furthermore, all work performed shall comply with the water system rules and regulations, city plumbing code, and/or according to acceptable plumbing practices as determined by the Water Commissioner. The said licensed plumber shall be at all times subject to the inspection and approval of

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the Water Commissioner, and it shall be further unlawful to willfully cover or conceal any defective or unsatisfactory work.

It shall also be unlawful for any person, firm or corporation to do any work upon any of the pipes or appurtenances of the city waterworks system and/or city water supply, or to make any unauthorized connection with or extension of the water supply pipes of any consumer taking water from said system; provided that nothing herein shall be construed to apply to persons, firms or corporations under special contract with the City for the construction, extension or repair of the city waterworks system.

SECTION 6-203: LICENSED PLUMBER; REQUIRED; SEWER

It shall be unlawful for any person, firm or corporation to engage in or conduct the business of sewer connection and house drainage, excavate any trenches for sewer pipe, open, uncover or in any manner make connection with or lay any sewer drain, or attach to, modify or repair any appurtenances without first securing a plumber's license from the City Code Official. Furthermore, all work performed shall comply with the sewer system rules and regulations, city codes, and/or acceptable plumbing practices as determined by the City Sewer Commissioner. The said licensed plumber shall be at all times subject to the inspection and approval of the Sewer Commissioner, and it shall be further unlawful to willfully cover or conceal any defective or unsatisfactory work.

It shall be unlawful for any person, firm or corporation to do any work upon any of the city sewer system or water treatment system, or to make any unauthorized connection with or extension of the consumer sewer service lines; provided that nothing herein shall be construed to apply to persons, firms or corporations under special contract with the City for the construction, extension or repair of the city sewer system.

SECTION 6-204: PLUMBER'S LIABILITY

Any person, firm or corporation who connects with the public utilities shall be held responsible for any damage he/she may cause to the waterworks system, sewers, or the public ways and property. He/she shall restore to the complete satisfaction of the city street superintendent all streets that he/she has excavated and make good any settlement of the ground or pavement caused by his/her excavation.

SECTION 6-205: PROCEDURE TO OBTAIN LICENSE

Any person wishing to obtain a license as a plumber shall file in the office of the City Clerk a written application requesting to become a licensed plumber and stating his/her willingness to be governed in all respects by the ordinances of the City and all rules and regulations now in effect or hereafter to be adopted by the City concerning its utility systems. Each application must be accompanied by 1) a license fee as set by resolution of the City Council and on file at Albion City Hall, 2) proof of general liability insurance of at least \$100,000.00 per incident, and 3) a bond with corporate surety to be approved by the City Code Official in the penal sum of \$10,000.00, conditioned upon his/her indemnifying and keeping harmless the City of Albion from all liability for any damage arising from any negligence or unskilled act in doing or protecting his/her work, or from any unfaithful or inadequate work done in pursuance of his/her license, and conditioned upon his/her restoring the streets, alleys, sidewalks and pavements over the pipes he/she may lay, and filling all excavations made by him/her so as to leave said streets, alleys, sidewalks and pavements in a condition as good as he/she found them, and keeping and maintaining the same in good order to the satisfaction of the City Code Official for the period of one

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year next thereafter and that he/she will pay all fines that may be imposed upon him/her for a violation of any of the ordinances, rules and regulations adopted by the City and in force during the term of his/her license. Complete applications will be submitted to the City Code Official for approval. Upon review of the application, if the Code Official is satisfied with the business capacity, qualifications and good reputation of the applicant he/she may grant and issue a license authorizing the applicant to engage in business as a licensed plumber in the City for the term of the license. Said license and bond shall cover all employees of the applicant for the term of the license.

SECTION 6-206: TERM OF LICENSE; REVOCATION; APPEAL

The term of each license or renewal shall be one calendar year. All licenses are subject to revocation by the City Code Official. If a license is revoked, written notification of said revocation shall be delivered to the license holder by personal delivery or certified mailing. The licensee shall have 30 days to file with the City Clerk a written appeal of the decision of the City Code Official. The appeal shall be to the City Council.

SECTION 6-207: RENEWAL OF LICENSES

Any license granted under the preceding ordinance or as provided in the preceding section may be renewed from year to year at the option of the City Code Official, on application therefore, upon payment of the license fee as set by resolution of the City Council for the year and the renewal of applicant's bond.

SECTION 6-208: FEES TO BE PAID TO CITY TREASURER:

The City Clerk shall pay over to the City Treasurer for allocation to the city water fund all license fees collected pursuant to this article.

(Ref. 17-537, 17-542-543 RS Neb)