CITY OF NORTH POLE
Alaska

REGULAR CITY COUNCIL MEETING
Monday, August 1, 2016

MAYOR
Bryce Ward
888-4444

CITY CLERK
Kathy Weber, MMC
488-8583

COUNCIL MEMBERS
Kevin McCarthy- Mayor Pro Tem 590-0800
Preston Smith – Dep Mayor Pro Tem 488-8824
Elizabeth Holm – Alt Dep Mayor Pro Tem 488-6125
Santa Claus 388-3836
Elyse Dawson 520-221-1340
Thomas McGhee 455-0010

1. Call to Order/Roll Call

2. Pledge of Allegiance to the US Flag

3. Invocation

4. Approval of the Agenda

5. Approval of the Minutes

6. Communications from the Mayor
   - Student of the Month – Kesten Davila

7. Council Member Questions of the Mayor

8. Communications from Department Heads, Borough Representative and the City Clerk

9. Ongoing Projects Report
10. Citizens Comments (Limited to Five (5) minutes per Citizen)

11. Old Business.
   a. Ordinance 16-16, An Ordinance of the City of North Pole, Alaska to amend Title 13, Public Services, to establish the process for providing utility services outside the City limits of North Pole and to update the ordinance

12. New Business
   a. Recommendation to purchase a wood chipper for the Public Works Department

13. Council Comments

14. Adjournment

The City of North Pole will provide an interpreter at City Council meetings for hearing impaired individuals. The City does require at least 48 hours’ notice to arrange for this service. All such requests are subject to the availability of an interpreter. All City Council meetings are recorded on CD. These CD’s are available for listening or duplication at the City Clerk’s Office during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. or can be purchased for $10.00 per CD. The City Clerk’s Office is located in City Hall, 125 Snowman Lane, North Pole, Alaska.
A regular meeting of the North Pole City Council was held on Monday, July 18, 2016 in the Council Chambers of City Hall, 125 Snowman Lane, North Pole, Alaska.

CALL TO ORDER/ROLL CALL
Mayor Ward called the regular City Council meeting of Monday, July 18, 2016 to order at 7:02 p.m.

There were present:
- Mr. McCarthy – Mayor Pro Tem
- Mr. Smith – Deputy Mayor Pro Tem
- Ms. Holm – Alt. Deputy Mayor Pro Tem
- Ms. Dawson
- Mr. McGhee
- Mr. Claus
- Mayor Ward

Absent/Excused
- Excused
- Excused
- Excused

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG
Led by Mayor Ward

INVOCATION
Invocation was given by Councilwoman Dawson

APPROVAL OF AGENDA
Mr. McGhee moved to Approve the Agenda of July 18, 2016

Seconded by Ms. Dawson

Discussion
None

PASSED
Yes: 5 – Smith, McGhee, Dawson, Claus, Ward
No: 0
Absent: 2 – McCarthy, Holm
APPROVAL OF MINUTES

Mr. Smith moved to Approve the Minutes of July 5, 2016

Seconded by Mr. McGhee

Discussion
None

PASSED
Yes: 5 – Smith, McGhee, Dawson, Claus, Ward
No: 0
Absent: 2 – McCarthy, Holm

COMMUNICATIONS FROM THE MAYOR

- Presentation on Interior Energy Project by Gene Therriault (see attached document)
- I would like to publicly thank North Pole Worship Center for their “Servolution” community project. They have been working on cleaning up the community and doing community service projects, of which the City has benefited. Thank you for your commitment to making the City a better place!

- I was able to meet with Governor Walker and the other local mayors after his announcement regarding his 1.2 billion dollars in veto’s including vetoing part of the PFD payout. The Governor explained that he did what he had to because the legislature did not bring forth a balanced budget. As an example it would be like the council approving our 5.5 million dollar budget and planning on spending 2.2 million from the General Fund (piggy bank). The Governor said this would be unacceptable for local government and was unacceptable for state government.

- Zane and I had a safe trip to Seattle where we took part in settlement negotiations, we worked late each day we were there and although we do not have anything to report yet we are hoping to have something to report to the council at the next meeting.

I am continuing to do muffins with the mayor. The next muffins will be August 19th here at City Hall

COUNCIL MEMBER QUESTIONS OF THE MAYOR

- None
COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Police Department, Sgt. Bellant

- Chief Dutra is on vacation until July 25th.
- Lt. Rathbun is out due to a death in his family.
- 2 new vehicles have arrived. Waiting to get decals on and all the other bells and whistles.

Fire Dept., Chief Lane

- This is his last council meeting.
- Hose testing is complete and hydrant testing is ongoing. No complaints from residents.
- Applications are being taken for firefighter position.
- Chief Lane talked about all the changes that have been made since 1977 when he first started at the fire department and thanked the council for their support over the years.

Finance, Tricia Fogarty

- Should have received financials on Friday through the Clerks office.
- Delinquent reports are before council tonight and she will answer any questions they may have.
- Updated council on ordinance passed on property tax that the City will pay. The City will only need to pay $2,700.

Mr. Smith asked about account #2241 and what action will be taken. Ms. Fogarty stated that the business has been sent a letter and action will be taken after the date on the notice.

Mr. Smith asked about another business that had moved. Ms. Fogarty stated that they are taking action on that business and that the owner will be coming in.

Director of City Services, Bill Butler

Building Department

- One new building permit issued since last Council meeting.
- Stop Work Order issued for construction on Park Way for beginning work without a permit.

Public Works

- North Pole Worship Center held a volunteer work day two Sundays ago and cleared brush at City Hall and cut dead trees at the dog park.
- Landscaping continues to be major activity for Public Works.
- Rainfall this summer has resulted in not having to do any supplemental watering of turf yet this summer.

**Utility Department**
- Construction activity for Lift Station Phase 3 began last week.
- Municipal Matching Grant Questionnaire for $1 million submitted last week.
- Alaska Clean Water Loan application for $2 million submitted last week.
- Water main repair on Holiday Road scheduled for Wednesday, July 20
  - Permanent repair to water main that was patched last spring.
  - Estimate customers will lose service no longer than 4 hours—if everything goes according to plan.
  - Customers who will lose water service have been sent a notice by mail and Utility staff placed door-hanger notices on residences this afternoon.

**Natural Gas Utility Board**
- Negotiations continue for a gas supply and cost of that gas.
  - Alaska Industrial Development and Export Authority is responsible for leading the negotiation.
  - IGU and Fairbanks Natural Gas are participating in the negotiations

**Borough Representative**
- FNSB ordinance 2016-36 will be before the Borough this week in the committee of the whole; it will rearrange the process and structure of zoning appeals. The current process gives the cities the authority to be the appeals board for zoning decisions. The City of North Pole recently passed a resolution to support this action. City of Fairbanks passed a resolution not supporting it. I plan on being present to answer any questions from the City of North Pole.

**City Clerk’s Office, Kathy Weber**
- The Municipal Election for the City of North Pole will be held Tuesday, October 4, 2016. Declaration of Candidacy may be filed with the North Pole Clerk's Office at 125 Snowman Lane, from July 15, 2016 at 8:00 a.m. through July 29, 2016 at 5:00 p.m. for the following:

  CITY OF NORTH POLE COUNCIL SEATS
  (All offices serve at-large)
QUALIFICATIONS

A qualified voter who has resided within the state and the City of North Pole for at least one year prior to filing his/her declaration of candidacy is eligible to be a candidate for the City Council.

All elected officials are elected at large.

A completed sworn Declaration of Candidacy and Public Official Financial Disclosure Statement must be filed with the City Clerk at the time of filing along with a $25.00 non-refundable filing fee.

Withdrawal Deadline: A candidate desiring to withdraw may do so by filing a written request with the clerk no later than 5:00 p.m., August 5, 2016.

Kathy Weber, MMC
North Pole City Clerk
488-8583
Website: www.northpolealaska.com

- An initiative/referendum was filed on June 21st was approved to prohibit marijuana businesses in the City of North Pole. Two petitions were turned in on Friday, July 18th. There were 96 signatures submitted, 25 insufficiencies, and 71 qualified signatures. They have been notified by email and certified letter that they have until Wednesday, July 27th at 1:00 p.m. to submit the required signatures.
- 160 days until Christmas.

CITIZENS COMMENTS

- None

ONGOING PROJECTS

- None

OLD BUSINESS

- None
NEW BUSINESS

RECOMMENDATION OF CHARTER COMMISSION FOR ITEMS ON THE BALLOT

The Charter Commission gave an update on the changes in the Charter and each of the changes by chapter.

Ms. Hunter came forward and gave her recommendation to council and reasons behind them.

Mr. Jacobson came forward with his interpretation of changes to the chapters.

Public Comment
Buddy Lane – gave a department head perspective. He is in favor of the changes in proposition #6 and encouraged the council to approve the changes to go on the ballot. He felt that department heads have their hands tied now.

Doug Isaacson, 1003 Shirley Turnaround
Thanked the Charter Commission for their work on this. When he heard about it he was concerned that this would not be transparent. However, it is the executives need to be able to clearly administer the City and there may be a need for it. The nuance allows the flexibility how you might allow the chief executive to administer the City. There is no council that will surrender its authority and any ordinance you might come up with. He doesn’t have the concern he had in the past. On 6.2, he likes the way it reads but had some changes for council to discuss.

Mr. McGhee moved to approve the recommendations the Charter Commission for items to go on the ballot

Seconded by Ms. Dawson

Discussion

Mr. McGhee moved to amend Proposition 3, Section 6.5 by adding the language after approved budget, “or approved amendments thereto”

Seconded by Ms. Dawson

Discussion
None

PASSED
Yes: 5 – Smith, McGhee, Dawson, Claus, Ward
No: 0
Absent: 2 – McCarthy, Holm
Mr. McGhee moved to Amend Proposition 3, Section 604, by putting it back to the original language.

Seconded by Mr. Claus

Discussion
Mr. McGhee said that as a senior member of the council that he does not agree with the amendments that have been submitted. He said it is the responsibility as council members to maintain the level of authority of change.

Mayor Ward said this doesn’t take away power from the council. The council still has full authority because it’s done by ordinance. He felt that at least this would bring forth flexibility and open discussion.

Mr. Claus felt the Charter Commission should meet again before this is put on the ballot.

Mr. Smith asked when the Charter was last changed.

Mrs. Weber stated that the Charter was last changed was 10 years ago.

PASSED
Yes: 3 – Smith, McGhee, Claus
No: 2 – Ward, Dawson
Absent: 2 – McCarthy, Holm

Mr. Claus moved to Amend Proposition #3, Chapter 6, Section 6.2 revert to its original language.

Seconded by Mr. McGhee

Discussion
Mr. Claus said that the Charter Commission believed that this section needed to stay the way it was so that council had the flexibility to change at any time. He asked for Mrs. Weber to comment on this.

Mrs. Weber stated that by changing the date to November 1 would make the City stay at a calendar year and not be able to change to a fiscal year unless it went to a vote of the people.

Mrs. Fogarty said that we would need to go to a vote of the people for any change.

PASSED
Yes: 4 – Dawson, Claus, McGhee, Ward
No: 1 – Smith
Absent: 2 – Holm, McCarthy

Mr. McGhee moved to delete Proposition #4 and renumber the corresponding proposition numbers.

Seconded by Mr. Smith

Discussion
None

PASSED
Yes: 5 – Dawson, Claus, McGhee, Smith, Ward
No: 0
Absent: 2 – Holm, McCarthy

On the Charter as Amended

PASSED
Yes: 5 – Dawson, Claus, McGhee, Smith, Ward
No: 0
Absent: 2 – Holm, McCarthy

ORDINANCE 16-16, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO AMEND TITLE 13, PUBLIC SERVICES, TO ESTABLISH THE PROCESS FOR PROVIDING UTILITY SERVICES OUTSIDE THE CITY LIMITS OF NORTH POLE AND TO UPDATE THE ORDINANCE
Bill Butler introduced the ordinance and updated council.

Public Comment
Francie Cork
Ms. Cork state that it is uneasy to provide services to anyone that doesn’t want to be annexed into the City. She wondered if this would generate enough revenue to compensate the expense of bringing utilities to other people.

Mr. McGhee moved to Introduce and Advance Ordinance 16-16, An Ordinance of the City of North Pole, Alaska to amend Title 13, Public Services, to establish the process for providing utility services outside the City limits of North Pole and to update the ordinance

Seconded by Mr. Claus
Discussion
None

Mr. McGhee moved to amend line 1196 – 1198 by returning to the original text and striking “certified”

Seconded by Ms. Dawson

Discussion
None

PASSED
Yes:  5  – Dawson, Claus, McGhee, Smith, Ward
No:  0
Absent:  2  – Holm, McCarthy

On the main motion as amended

PASSED
Yes:  5  – Dawson, Claus, McGhee, Smith, Ward
No:  0
Absent:  2  – Holm, McCarthy

COUNCIL COMMENTS

Mr. McGhee – many years have transpired between Buddy Lane and himself to the point that they have discussed on lawn chairs, on city streets, the business of the City and have never argued once, just civilly debated. He hasn’t agreed with him 9 out of 10 times unless it was about personnel and then they agreed on everything. All in all, thank you.

Mr. Smith – looking forward to Chief Lanes presentation but it wasn’t a budget session. He thanked Chief Lane for all his time. It’s great to see everyone out and about and wished them a good evening.

Mr. Claus – congratulations on Chief Lane’s retirement and his sterling and selfless service to our City.

Ms. Dawson – thanked Chief Lane and is thankful that their paths crossed. She thinks he is something special so is his family. She said he did an amazing job and it shows in his staff and it is a reflection of his leadership. Ms. Dawson thanked him for his service.
Mayor Ward – said he appreciated Chief Lane’s service and time as a department head. He looks forward to seeing where your future carries you. There is a shindig going on July 23rd and 29th is City picnic.

ADJOURNMENT

Mr. McGhee moved to Adjourn the meeting at 9:39 p.m.

Seconded by Mr. Claus

The regular meeting of July 18, 2016 adjourned at 9:39 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Monday, August 1, 2016.

____________________________
Bryce J. Ward, Mayor

ATTEST:

____________________________
Kathryn M. Weber, MMC
North Pole City Clerk
Office of the Mayor
City of North Pole

Proclamation

WHEREAS, Kesten Davila is entering 9th grade at North Pole High School and is the daughter of Tim & Melissa Hardman; and

WHEREAS, Kesten is a member of the National Junior Honor Society, is involved in Student Council, and assisted in the front office as an office aide for the school year 2015-2016; and

WHEREAS, Kesten’s teachers describe her as an absolute pleasure to work with and a welcome addition to the office staff; and

WHEREAS, Kesten has a wonderful smile, takes direction, has a great sense of humor and is a quiet leader; and

WHEREAS, the City of North Pole desires to recognize the outstanding students in the community.

NOW, THEREFORE I, Bryce J. Ward, Mayor of the City of North Pole, do hereby proclaim Kesten Davila...

The North Pole City Council

“Student of the Month”

For the Month of July, 2016

Bryce J. Ward, Mayor

ATTEST:

Kathryn M Weber, MMC
North Pole City Clerk
CITY OF NORTH POLE
ORDINANCE 16-16

AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO AMEND TITLE 13, PUBLIC SERVICES TO ESTABLISH THE PROCESS FOR PROVIDING UTILITY SERVICES OUTSIDE THE CITY LIMITS OF THE CITY OF NORTH POLE AND TO UPDATE THE ORDINANCE

WHEREAS, changes to the public services practices and policies is a continually changing requirement; and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the requirements of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Title 13 is amended in the North Pole Code of Ordinances as follows [new text in italicized red font; deleted text in strikethrough blue font:}
Title 13
PUBLIC SERVICES

Chapters:
13.04 Purposes
13.08 Administrative Provisions
13.12 Customer Service
13.16 Water Services
13.20 Sewer Service
13.24 Utility Rates
13.28 Lien on Real Estate for Delinquent Utility Payments and Account Resolution Procedures
13.32 General Provisions for Drilling Water Wells

Chapter 13.04
PURPOSES

Sections:
13.04.010 Scope of title.

A. Water and sewer services within City limits. The City water and sewer utility, hereinafter in this title called the North Pole Utility, was formed to serve the residents of the City, to provide residents with the sanitation, protection and convenience afforded by a municipal water and sewer utility system and to promote an improved community environment. It is the intent of the ordinance codified in this title to establish the rules, regulations and methods for the operation and use of the North Pole Utility to the benefit of the City residents. (Ord. 82-8 § 1.A, 1982)

B. Water and Services outside the City limits. The North Pole Utility may also offer water and sewer utility services beyond its corporate city limits so long as doing so does not impede delivery of utility services to residents of the City or increase utility rates for City residents.

Chapter 13.08
ADMINISTRATIVE PROVISIONS

Sections:
13.08.010 Utility services.
13.08.020 Management of the water and sewer utilities.
13.08.030 Basis of the City utility rate structure.
13.08.040 Property of the City water and sewer utilities.
13.08.050 Disposal of utilities, utility-owned material or equipment.
13.08.060 Authorized operations and maintenance personnel.
13.08.070 Right of inspection and access.
13.08.010 Utility services.
A. The City water utility service provides a pressurized, piped water supply used by the citizens as a potable water supply and firefighting source of water. The City sewer utility provides a piped wastewater collection, treatment and disposal service in a manner which safeguards the health of the citizens of the City and protects the area’s environment.

B. All utility improvements shall be in accordance with the most current edition of the Uniform Plumbing Code adopted by the City Council, City of North Pole Construction Standards and approved plans by a registered professional engineer. (Ord. 15-05 § 2, 2015; Ord. 12-01 § 2, 2012; Ord. 00-16 § 2, 2000; Ord. 82-8 § 1.B, 1982)

13.08.020 Management of the water and sewer utilities.
A. The management of the North Pole Utility including billings, accounting and collections, review of applications for utility services, preparation of contracts for utility service, and enforcement of the rules and regulations of the utilities as established in the ordinance codified in this title shall be the responsibility of the Mayor.

B. The operation and maintenance of the utility system including the maintenance and repair of equipment, supervision of improvements to the systems, maintenance of records of operations and development of an annual operating budget shall be the responsibility of the City Utility Superintendent Director of City Services.

C. Copies of all rates, rules and regulations which have been approved by the Council shall be filed and maintained by the City Clerk and shall be open for inspection by the public at the office of the Clerk. (Ord. 12-01 § 2, 2012; Ord. 82-8 § 1.C, 1982)

13.08.030 Basis of the City utility rate structure.
The rate structure for the City utility services is set so as to make the Utility self-perpetuating without profit accumulation. (Ord. 12-01 § 2, 2012; Ord. 82-8 § 1.D, 1982)

13.08.040 Property of the City water and sewer utilities.
All equipment, meters, pipes, regulators, pumps, structures and other contrivances supplied by the City for the North Pole Utility shall remain the property of the North Pole Utility and may be removed whenever the City Council elects. (Ord. 12-01 § 2, 2012; Ord. 82-8 § 1.E, 1982)
13.08.050 Disposal of utilities, utility-owned material or equipment.
The City may sell, lease or otherwise dispose of a municipal utility, utility-owned material or equipment as per Section 13.4 of the City Charter. (Ord. 12-01 § 2, 2012; Ord. 82-8 § 1.F, 1982)

13.08.060 Authorized operations and maintenance personnel.
Only City employees and contractors approved by the Utilities Supervisor are authorized to install, repair, remove, inspect or exchange any portion of the City utility system. (Ord. 12-01 § 2, 2012; Ord. 82-8 § 1.F, 1982)

13.08.070 Right of inspection and access.
A. Right of Inspection. The North Pole Utility reserves the right to perform an inspection of the customer’s premises at any time it deems necessary to determine that all piping, fixtures and related utility structures are in proper operating condition. Such inspection shall be performed in normal business hours unless an emergency exists which may jeopardize the utility system or the health and welfare of the citizens of the City.
B. Right of Access.
1. The North Pole Utility reserves the right to access a customer’s premises to disconnect the customer’s water service in the event the account has become delinquent.
2. Tampering with the North Pole Utility disconnection devices shall result in a fine of $500 (five hundred dollars) and/or termination of water utility service. (Ord. 12-01 § 2, 2012; Ord. 08-25 § 2, 2008; Ord. 82-8 § 1.H, 1982)

13.08.080 Service to areas outside City limits.
If not within the corporate limits of the City, a property owner can make application to the City for City utility service. As a condition of service, the property owner must agree, in writing, to annexation of his property into the corporate limits of the City and abide by the rules and regulations of the Utility. The Council will review all applications for utility service from property owners not within the corporate limits and reserves the right to refuse service to such applicants. (Ord. 12-01 § 2, 2012; Ord. 82-8 § 1.I, 1982)

13.08.090 Service to areas outside existing assessment districts.
A. To the extent that a property or portion thereof is not levied an assessment from an existing assessment district, a tie-in fee shall be charged upon application to the City for connection to a municipally approved or constructed water or sewer main.
B. Tie-In Charge Rates. Residential and commercial properties’ water and sewer tie-in fees shall be the following:

<table>
<thead>
<tr>
<th>Water service line size</th>
<th>Water tie-in fee</th>
<th>Sewer tie-in fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4 inches to 2 inches</td>
<td>$200</td>
<td>$200</td>
</tr>
<tr>
<td>Water service line size</td>
<td>Water tie-in fee</td>
<td>Sewer tie-in fee</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Greater than 2 inches up to 4 inches</td>
<td>$250</td>
<td>$250</td>
</tr>
<tr>
<td>Greater than 4 inches</td>
<td>$300</td>
<td>$300</td>
</tr>
</tbody>
</table>

C. Water service will be provided contingent upon connection to the City sewer facilities when sewer service is available (NPMC 13.12.090). Sewer service may be provided independent of City water connection when City sewer service is not available.

D. Application and payment in full of the tie-in charge shall be made before any construction commences. All construction shall be in accordance with Chapter 13.12 NPMC. The tie-in charge includes the inspection fee.

E. Private Wastewater Disposal.

1. Where a public sewer is not available under the provisions of the Uniform Plumbing Code (UPC), the building sewer shall be connected to a private wastewater disposal system complying with the same provisions and applicable City, State and Federal requirements.

2. Upon completion of construction of a sewer system extension in an area, the City shall publish a notice that sewer service is available to serve the property owners of that area.

   i. The owner of a property located within the corporate city limits of the City of North Pole as defined in NPMC 13.20.020(A)(4) and served by a private wastewater disposal system shall have installed or cause to be installed, at his expense, a connection to the public sewer within no less than two years from the date such sewer service is declared to be available, or any other timetable as prescribed by City Council or City code. Prior to the sale of a property served by a wastewater service system, hookup to the wastewater service is required. The connection shall be of a type and installed in a manner consistent with this chapter. Monthly wastewater fees as established by City code shall begin at time of such connection. (Ord. 12-01 § 2, 2012; Ord. 11-05 § 2, 2011; Ord. 08-25 § 2, 2008; Ord. 01-03 § 2, 2003; Ord. 00-16 § 2, 2000; Ord. 00-08 § 2, 2000; Ord. 99-18 § 2, 1999; Ord. 83-5, 1983; Ord. 82-8 § 1,J, 1982)

   ii. The owner of a property located outside of the corporate city limits of the City of North Pole may connect to a sewer system extension in an area. Connection to the sewer system shall be at their expense. The connection shall be of a type and installed in a manner consistent with this chapter. Monthly wastewater fees as established by City code shall begin at time of such connection.

Chapter 13.12
CUSTOMER SERVICE

Sections:
13.12.010 Application for service.

A. To receive utility service from the City, property owners must file a completed application form for utility service with the Utility Department. The application must be signed by the property owner whose property is to receive the utility service.

B. Applicants for utility service shall be required to pay any previous indebtedness to the City, if any exists, including penalties, and the property to be served by the City’s utilities must be free of all utility liens prior to being eligible for service. All special assessment payments or payments in lieu of assessment due or delinquent against the property to which the improvement is to be connected must be paid to the City prior to the connection of utility service.

C. Connection fees and established rates for utility service are as outlined in Chapter 13.24 NPMC.

D. The completed application will be reviewed by the Mayor’s designee Utility Superintendent. The North Pole Utility may require the applicant’s property to be inspected by a representative of the North Pole Utility to ensure that the fixtures or equipment to be provided utility service are in good repair and in proper service and will not jeopardize the operation of the North Pole Utility.

E. In the case where an applicant is requesting service for commercial, industrial, governmental, institutional or residential property which is to be subdivided, the review may require submission of further information which will be requested in writing from the Mayor’s office.
F. A new application must be made should a parcel of property for which utility service is requested change ownership. (Ord. 12-02 § 2, 2012; Ord. 82-8 § 2.A, 1982)


A. An approved application for utility service will constitute a contract between the property owner and renter and the City whereby the City agrees to provide water and sewer utility service to the property under the rules, regulations and methods established for the operation of the water and sewer utilities. Also see NPMC 13.12.100(D)(4).

1. New Property Owner. An individual, commercial enterprise or institution becomes a utility customer from the date they take ownership of a property where the property has active utility service regardless of whether they have submitted a utility contract. The new property owner is responsible for all utility charges from the date they take ownership of the property and all charges documented in the liens against the property including liens for outstanding delinquent utility bills incurred by past and current renters of the property.

2. New Renter. An individual, commercial enterprise or institution becomes a utility customer from the date they become a renter of a property where the property has active utility service regardless of whether they have submitted a utility contract. The new renter is responsible for all utility charges from the date they rent the property.

3. Landlord Responsibility for Delinquent Utility Charges. When the applicant for utility service is a renter, the property owner is legally responsible for the renter’s utility charges.

4. Rental Property with a History of Delinquencies. When a rental property has a history of delinquent utility customers, the Utility will only create a utility account in the name of the property owner. A history of delinquencies shall be defined as two or more separate renters who become delinquent on their utility accounts within a twelve-month period.

B. All contracts shall take effect from the day they are signed, or as otherwise deemed effective under the utility ordinance, whichever is earlier, and rates will be charged and bills rendered for water service from the date or dates the premises are connected with the North Pole Utility.

C. All contracts shall continue in effect thirty days after written notice of discontinuance is filed in the office of the Utility and until all charges and penalties imposed have been paid in full.

D. For utility accounts in owner-renter relationships, failure to submit a utility contract signed by the property owner and renter within thirty days of the renter beginning tenancy of a property and failure to pay in full the required utility deposit(s) is grounds for the North Pole Utility to terminate utility service to the property. A legally authorized agent of a property owner may sign in lieu of the property owner provided the agent provides proof of authority to enter into a legally binding contract on behalf of the property owner.

1. Verbal Notice. Upon learning of a renter without a signed utility contract, the Utility shall attempt to contact the renter and property owner by telephone if the Utility has viable
telephone numbers to notifying them of the requirement to submit a signed contract and to pay the required deposits. The parties shall have five business days from receipt of a verbal notice to submit the signed contract and to pay the required deposits. A voice mail or other electronic verbal message is equivalent to a telephone contact for the purposes of this section. If the Utility does not have telephone contact information for the renter or property owner, the Utility shall proceed immediately to sending written notices as described in subsection (D)(2) of this section.

2. Written Notice. If the renter and property owner do not submit a utility contract signed by the renter and property owner and pay the required deposits within five business days of the telephone contact, the Utility shall send notices by certified mail to the renter and property owner if the Utility has mailing addresses and a door hanger shall be placed at the residence of the renter. The written notice shall notify the renter and property owner that they must submit a utility contract signed by the renter and property owner and pay the required deposits within ten business days; otherwise the Utility will initiate legal action to shut off water service.

3. Termination of Water Service. If the renter and property owner do not submit a utility contract signed by the renter and property owner and pay the required deposits within ten business days after the written notices have been sent nor consent to the City entering the premises to shut off the water service, the City shall initiate legal action to shut off water service at the property. Upon proof of compliance with this chapter, the City shall be entitled to a writ of assistance and an order allowing it to enter the premises served by the Utility for the purpose of shutting off the water service and to verify, at reasonable intervals based upon the circumstances, that the water shutoff device has not been bypassed or tampered with. If the Utility initiates legal action to terminate water service, a liquidated damages fee of $50 (fifty dollars) shall also be assessed to the Utility account.

4. Responsibility for Costs and Liquidated Damages. The property owner and renter shall be jointly responsible for the failure to submit a signed utility contract and any associated charges, costs or attorney fees.

E. For utility accounts where the property owner is the utility customer, failure to submit a utility contract signed by the property owner within thirty days after taking ownership of the property and failure to pay in full the required utility deposit(s) is grounds for the North Pole Utility to terminate utility service to the property. Resolution of a property owner without a signed utility contract shall follow the steps listed in subsections (D)(1) through (4) of this section. (Ord. 12-02 § 2, 2012; Ord. 82-8 § 2.B, 1982)
13.12.030 Construction of extensions to City utility system.

A. Any water distribution or sewage collection systems which are to become part of the City’s utility system will be installed, financed and connected by the creation of special assessment districts, service district or by contract between the City and the property owner whose property is to be served by the Utility. All proposed additions to either the City water distribution system or sewage collection system shall be constructed in accordance with the design and construction standards for the City water and sewer utility system and shall be inspected and approved by the City before operation.

B. No property owner or his agent or developer shall commence construction of an extension of the City water or sewer system other than individual service laterals without first obtaining a permit issued by the City Council and from the State Department of Environmental Conservation. After such plans and specifications have been approved, no substantial changes therein shall be made without first submitting a detailed statement of such proposed changes to the City Council for review and approval.

C. The property owner whose property is to be served by proposed utility extensions other than individual service laterals or developer of a utility extension shall provide the Mayor’s designee with construction plans and specifications for the installation of the utility extension. These plans and specifications shall be certified by a registered engineer in the State of Alaska and accompanied by an engineering report summarizing assumptions and design criteria. Property owners requesting individual service laterals shall submit a site plan showing location and proposed materials for approval by the Utility Supervisor or Director of City Services.

D. The Mayor’s designee, in reviewing applications, plans and specifications, or engineering reports, shall consider the adequacy of the project to meet present and future needs of the area served, the functional and sanitary features of the design of the project, the economics of the project as compared to possible alternatives, the availability of existing sewer facilities, and the suitability of the project with respect to present or future uses of the affected area.

E. The property owner or developer of a utility extension shall provide the Mayor’s designee with a construction schedule so that the work may be inspected by the City. The City reserves the right to refuse utility service to the property owner if the proposed extensions are not constructed according to the City’s utility construction standards. As built drawings of the utilities shall be submitted to the City as a condition of service.

F. Prior to acceptance of the utility system extension by the City, the property owner or developer shall grant and record utility easements as required by the City for access to and maintenance of the utility system.
G. Construction of a project for which plans and specifications have been approved must be completed and accepted within two years following approval or such approval will be void. Extensions will be granted when delays in construction are beyond the control of the property owner or developer. A bond may be required for the uncompleted portion of the work. (Ord. 12-02 § 2, 2012; Ord. 08-25 § 2, 2008; Ord. 00-16 § 2, 2000; Ord. 82-8 § 2.C, 1982)


A. Permitting Utility System Construction. The Utility Administrative Code details the processes and requirements that shall be followed by a developer to obtain the permits required prior to constructing a utility system extension.

B. Standards of Construction. The methods and materials used to construct utility service facilities connected to the City’s water and sewer utility systems shall conform to the adopted utility construction standards of the City, the standards established by the State Department of Environmental Conservation, and the Uniform Plumbing Code as modified by the City’s utility construction standards. (Ord. 12-02 § 2, 2012; Ord. 08-25 § 2, 2008; Ord. 82-8 § 2.D, 1982)


Owners of property served by the City water and sewer utilities must maintain and allow year round access to the service connection for inspection, maintenance and repair. (Ord. 12-02 § 2, 2012; Ord. 82-8 § 2.E, 1982)

13.12.060 Refusal of service.

The City reserves the right to refuse to render service to any customer when such service will interfere with the City’s service to its other customers, or which will cause abnormal demands upon the City’s facilities, or which if served will result in financial loss to the City, or which would be discriminatory as to one class of customer, or where the applicant has not complied with the regulations of the City concerning the rendering of utility service. Suitable protective devices may be required whenever or wherever the system finds such devices necessary to protect the customer’s property, the property of other customers or the property of the system. (Ord. 12-02 § 2, 2012; Ord. 82-8 § 2.G, 1982)

13.12.70 Resale of service.

A. No purchaser of City water or sewer utility service shall connect the utility service with the corresponding service of any other person or in any way resell or supply, re bill or supply any other person or premises with water or sewer service through his services unless covered by the terms of a written contract with the City. (Ord. 12-02 § 2, 2012; Ord. 82-8 § 2.H, 1982)

B. Any purchaser of City water or sewer utility service who connects the utility service with the corresponding service of any other person or in any way resells or supplies, rebills or supplies
any other person or premises with water or sewer service through his services may be subject to immediate termination of water and sewer utility services.

13.12.080 Designation of point of connection.
The City Utility Supervisor, or his designated representative, shall determine the point at which new utility services are to be connected to the City’s existing utility system. (Ord. 12-02 § 2, 2012; Ord. 82-8 § 2.1, 1982)

13.12.090 Compulsory connection to City water and sewer utility.
A. Connection to the City water and sewer utility system shall be mandatory within the corporate city limits of the City of North Pole, within a voter-approved special assessment district or whenever the property has direct access to the municipal water and/or sewer facilities and the structure on the property is within two hundred feet of the municipal water and/or sewer facility. The owner of a property shall have installed or cause to be installed, at his expense, a connection to the public water or sewer within no less than two years from the date such service is declared to be available, or any other timetable as prescribed by City Council or City code. Prior to the sale of a property served by the City water or sewer service system, hookup to the service is required. The connection shall be of a type and installed in a manner consistent with the North Pole Municipal Code and standards of construction. Monthly utility fees as established by City code shall begin at time of such connection. Failure to connect to available water and/or sewer service within the two-year time period shall be cause for the property owner to be billed and required to pay the applicable monthly water and/or sewer flat rate fee on an ongoing month-by-month basis. (Ord. 12-02 § 2, 2012; Ord. 04-08 § 2, 2004; Ord. 01-03 § 2, 2003; Ord. 82-8 § 2.J, 1982)

B. The owner of a property located outside of the corporate city limits of the City of North Pole may connect to a municipal water and/or sewer facilities extension in an area. Connection to the municipal water and/or sewer facilities shall be at their expense. The connection shall be of a type and installed in a manner consistent with this chapter. Monthly water fees as established by City code shall begin at time of such connection.

13.12.100 Customer accounting and payments.
A. It is the duty of the Utility to keep accounts of all property owners whose property is served by the City water and sewer utility, and to enter on such accounts all charges and penalties, and to fix meter reading dates and billing dates as necessary to efficiently execute the accounting requirements of the North Pole Utility.

B. Meters will be read on the same date each month whenever practical. The Utility reserves the right to read meters every other month and to bill the customer for consumption on an
estimated basis for the intervening month. Where the meter readers are unable to gain access to
the customer’s premises to read the meters, the Utility may estimate the consumption until the
meter readers are able to gain access.

C. Any discrepancies in utility bills must be reported in writing within thirty days after the
billing date; otherwise the account will be considered correct.

D. Deposits.

1. New Account Deposits. All property owners receiving service from the North Pole
Utility or having the service available shall be obligated to pay for such service in
accordance with the appropriate rate schedule as outlined in NPMC 13.24.020, and shall pay
a deposit as outlined below.

<table>
<thead>
<tr>
<th>Meter size</th>
<th>Water deposit</th>
<th>Sewer deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4 inch</td>
<td>$75</td>
<td>$75</td>
</tr>
<tr>
<td>1 inches</td>
<td>$100</td>
<td>$100</td>
</tr>
<tr>
<td>1 1/2 inches</td>
<td>$150</td>
<td>$150</td>
</tr>
<tr>
<td>2 inches</td>
<td>$200</td>
<td>$200</td>
</tr>
<tr>
<td>3 inches</td>
<td>$225</td>
<td>$225</td>
</tr>
<tr>
<td>4 inches</td>
<td>$250</td>
<td>$250</td>
</tr>
<tr>
<td>5 inches</td>
<td>$275</td>
<td>$275</td>
</tr>
<tr>
<td>6 inches or larger</td>
<td>$300</td>
<td>$300</td>
</tr>
</tbody>
</table>

2. Return of Deposit. When the customer terminates their account, they may request that
the account balance at the time of account termination be charged to the deposit and any
balance due the customer will be refunded from the liability account, and processed as such.
Where an owner/occupant vacates the property without clearing their account of debt within
thirty days from the termination of the account, the City of North Pole Utility shall deduct
the balance owed to the City from the deposit plus a $10 (ten-dollar) processing fee and
return the balance to the former account holder.

3. Property Owner-Tenant Responsibilities. In the case of a property owner-tenant
relationship, the property owner shall be held liable for all billings. Should ownership of the
property change, the new owner shall assume all obligations of utility service including the
liability for all billings. The property owner, upon request to the City, shall be provided a
copy of the tenant’s billing history.
4. Should legal ownership of the property serviced by the Utility change, the new owner shall immediately contact the City to establish an account. Regardless of whether a new account is established, the owner shall be fully responsible for all obligations arising from utility service to the property, including the liability for all past unpaid or ongoing utility billings documented in liens against the property, including liens for outstanding delinquent utility bills incurred by past and current renters of the property. Also see NPMC 13.12.020.

E. All charges owed by any person for sewer or water service rendered by the North Pole Utility may be billed as a unit. However, charges for water and sewer may be paid separately. For new connections, service shall be charged in proportion to the monthly charge from the date when the connection from the customer’s property is made to the lines of the North Pole Utility.

F. Repealed.

G. Failure to make payment by the date specified on monthly statements will cause the account to become past due. A late charge of up to the maximum interest rate allowed by law will be added to the past due amount and will appear on the following bill. Failure to receive mail will not be recognized as a valid excuse for late payments. Accounts may be assigned to a collection agency. (Ord. 12-02 § 2, 2012; Ord. 10-03 § 2, 2010; Ord. 08-25 § 2, 2008; Ord. 08-07 § 2, 2008; Ord. 01-03 § 2, 2003; Ord. 00-16 § 2, 2000; Ord. 00-11 § 2, 2000; Ord. 99-24 § 2, 1999; Ord. 82-8 § 2.K, 1982)

13.12.110 Appeal of utility billings.

A. Any City North Pole Utility customer who believes his utility billing is unjust and inequitable as applied to his property may make written application to the City Council requesting a review of his utility billing. The application shall include the facts and data upon which the appeal is based.

B. While awaiting Council review of his appeal, the customer shall pay the amount of the disputed bill to the City within thirty days from the mailing date to avoid becoming delinquent. Subsequent bills shall be paid in full within the prescribed time limit.

C. Payment of disputed bills as required by this section shall not be deemed to prejudice an otherwise valid contest.

D. Review of the request shall be made by the City Council who shall determine if it is substantiated or not, including recommending further study of the matter by a designated representative.
E. If the request is determined to be substantiated, the charges for the customer shall be recomputed based on the Council approved terms, and the new charges thus recomputed shall be applicable retroactively up to one year.

F. In instances where a utility customer billing appeal relates to a situation limited to forgiveness of sewer service and associated charges where the customer can document the water upon which the charges are calculated was not discharged into the sewer system, the Mayor or his designee may waive these charges without the appeal proceeding to the City Council for approval. Should such an appeal be granted by the Mayor or his designee, he shall report the waiver of these charges to the City Council. (Ord. 12-02 § 2, 2012; Ord. 00-16 § 2, 2000; Ord. 82-8 § 2.L, 1982)

13.12.120 Vacation of property.

Each customer about to vacate any premises receiving water and/or sewer services from the North Pole Utility shall give the North Pole Utility written notice of his intentions at least ten days prior thereto, specifying the date service is to be discontinued; otherwise, he will be responsible for all North Pole Utility water and/or sewer charges until the North Pole Utility receives notice of such removal. At the time specified by the customer that he expects to vacate the premises where service is supplied, a closing bill will be rendered which is payable immediately. (Ord. 12-02 § 2, 2012; Ord. 82-8 § 2.N, 1982)

13.12.130 Disconnection of utility service.

A. North Pole Utility service may be disconnected if any charge has not been paid in full on the date it becomes delinquent or for any other reason established by City of North Pole ordinances.

B. A notice of disconnect shall be served by an officer of the City of North Pole at a minimum of seventy-two hours in advance of the disconnection. To halt the disconnection the customer shall pay all outstanding utility charges, including all interest and liquidated damages payments, in advance of the action to disconnect. In situations involving disconnection, The City shall only accept payment in cash or certified check. If it is necessary to issue a disconnect order for nonpayment of any North Pole Utility service a $100 (one-hundred-dollar) processing charge shall be added to the customer’s bill. In case service is disconnected for any violation of the provisions of this chapter, or under this section, such service shall not be furnished or resumed to the delinquent customer at the premises or any other premises where the delinquent customer applies for service until all arrears have been paid in full and a reconnect fee has been paid.

C. Whenever it is necessary for the North Pole Utility to discontinue the utility service to enforce the collection of a delinquency, a $250 (two-hundred-fifty-dollar) reconnect fee will be charged in addition to the delinquent amount and both amounts must be paid before the utility service will be restored. The North Pole Utility will not be responsible for any damages or
freezing occurring as a result of discontinuance of service for unpaid billings. In addition, the
527 customer shall pay all associated costs, including but not limited to excavation, repaving,
528 compacting, etc. Monthly billings for water and sewer charges shall be continued on the
delinquent account. The property owner shall be responsible for all charges and attorney’s fees
thus incurred. (Ord. 12-02 § 2, 2012; Ord. 08-25 § 2, 2008; Ord. 82-8 § 2.O, 1982)

13.12.140 Service interruptions.
The North Pole Utility reserves the right to temporarily suspend services when necessary for the
purpose of new installations, repairs, testing, modification, expansion, correction or replacement
of the system. The Utility will attempt to notify affected utility users of impending service
interruptions where possible and where not precluded by emergency conditions. The Utility will
exercise reasonable diligence in avoiding inconvenience which may arise out of necessary
service interruptions. North Pole Utility shall not be liable to the customer for breach of contract
or any loss or damage which may be caused by failure of the Utility to deliver service. (Ord. 12-
02 § 2, 2012; Ord. 82-8 § 2.P, 1982)

A. No person without first obtaining a permit from the City of North Pole shall be allowed to
make a connection to any facility of the North Pole Utility or to make alterations in any conduit,
pipe or other fitting connecting directly therewith, or to connect pipes where they have been
disconnected, or to turn water service on or off to any premises. No person other than an
authorized employee of the North Pole Utility may turn on or turn off any water main of the
North Pole Utility system.
B. A violation for the purposes of this section shall be any individual unpermitted act listed
below:
   1. Connecting to a water main;
   2. Connecting to a sewer main;
   3. Making alterations in any conduit, pipe or other fitting connecting directly to a water
      main, sewer main, service connection or other utility facility;
   4. Connecting pipes where they have been disconnected;
   5. Turning water service on to a premises;
   6. Turning water service off to a premises;
   7. Turning on a water main;
   8. Turning off a water main;
   9. Turning on a fire hydrant without Utility Department authorization;
  10. Turning off a fire hydrant without Utility Department authorization.
C. Violations of the provisions of this section shall constitute a violation The person or entity
responsible violating this section of the Municipal Code shall be subject to a fine of up to $1,000
(one thousand dollars) for each violation plus be liable for any damages to City and private
property; any City-related expenses to correct a violation; and for the estimated value of any
discharged water or wastewater. (Ord. 12-02 § 2, 2012; Ord. 09-06 § 2, 2009)

Chapter 13.16
WATER SERVICES

Sections:

13.16.010 Utility rates, fees and charges.
13.16.020 Additional conditions of service.
13.16.030 Multiple water services.
13.16.040 Bulk and temporary water sales.
13.16.050 Liability.
13.16.060 Prohibited acts.

13.16.010 Utility rates, fees and charges.

A. Rates for the installation of water meters, connection fees and monthly user charges are set
forth in Chapter 13.24 NPMC.

B. The customer provides and pays for all expenses required to install the necessary water pipe,
valves, fittings to connect his property to the North Pole Utility water distribution system at the
point of connection designated by the Utility Supervisor or his designated representative. Water
meters are installed by the City under the conditions outlined in Chapter 13.24 NPMC; Water
meters shall be installed by a contractor licensed in the State of Alaska and the installation shall
be inspected by the Utility Supervisor or their designee. (Ord. 12-03 § 2, 2012; Ord. 82-8 § 3.A,
1982)

13.16.020 Additional conditions of service.

A. All residential, commercial, educational, industrial, institutional and governmental users
shall be metered. Water meters may be installed at any time deemed necessary by North Pole
Utility in accordance with the requirements of the Utility. Installation must conform to the utility
standards of construction.

B. The City may refuse to permit any person to connect to a water main or to be served directly
or indirectly by water from North Pole Utility, and may refuse to accept a water main for
operation and maintenance purposes unless the main was constructed and installed pursuant to a
written agreement with the City or the City can otherwise assure itself that the main was
constructed and installed in compliance with the applicable requirements and specifications of
the North Pole Utility.
C. North Pole Utility will maintain and repair all mains that have been accepted for maintenance and operation by the Utility but will not be responsible for maintaining the customer’s service connection or for damage to the service connection caused by freezing that results from negligence or a willful act on the part of the customer.

D. The customer’s service from point of connection to the City main or the customer’s building plumbing shall be kept in repair by the owner or occupant of the premises, who shall be responsible for all breaks in the line and for any damages resulting incidentally therefrom, other than those caused by acts of the North Pole Utility. The City shall not be responsible for damages in service lines freezing resulting from the shut down of a customer’s service for a delinquent account. In the case of a frozen water service, the customer shall be responsible for thawing the service line from the main to the building unless the freezing condition can subsequently be demonstrated to have been the result of a malfunction of the City’s utility system beyond the control of the customer.

1. Exposing a Customer Service Line Break and/or Disconnecting Service in the Event of a Service Line Break. In the event of a customer service line break resulting from freezing or other causes, the North Pole Utility shall disconnect as quickly as is feasible the service to the broken service line to protect public health and safety and to limit damage to public and private property.

2. Responsibility for Expenses for Exposing a Customer Service Line Break and/or Disconnecting Service and the Repair of Customer Water Service Line Breaks. In the event of a customer water service line break not resulting from negligence or a willful act on the part of the customer, as determined by the North Pole Utility in its sole discretion, the North Pole Utility may share up to fifty percent of the costs associated with repairing the break in the utility right-of-way and adjacent properties affected by the repair. The North Pole Utility shall not be responsible for any of the expenses associated with repairing a customer water service line on the customer’s property other than if the break is caused by a freezing condition and/or other causes that can by a preponderance of the evidence subsequently be demonstrated to have been the result of a malfunction of the North Pole Utility.

E. All persons, prior to receiving service from the North Pole Utility, shall provide a separate shutoff valve inside the building or structure for which service is being requested. The valve shall be located on the service line entering the building, ahead of any branch lines, where it is readily accessible in the event of emergency.

F. The customer service line wherein the point of connection is in excess of fifty feet of the City main water line shall have installed an approved circulation pump system. A circulation pump may also be required in any event where freeze up has occurred, regardless of the distance of the main from the point of connection.

G. Installation of Water Connection and Water Supply Line.
1. All water connections shall be installed and mains tapped by a contractor licensed by the State of Alaska. As a prerequisite to commencing any work on the Utility, the contractor shall obtain a permit from the Utility Department where they must furnish:
   a. State of Alaska contractor’s license number;
   b. Proof of workman’s compensation insurance, if required by law;
   c. A bond in the amount of $5,000 (five thousand dollars) if the work is occurring in or will affect a City of North Pole road right-of-way;
   d. Proof of payment of City of North Pole Utility tie-in fees (NPMC 13.08.090(B));
   e. Should the work be in or directly affect a State of Alaska road right-of-way, proof of authorization to work in this right-of-way;
   f. Should the work be in or directly affect private property other than the property owner for whom the utility connection is for, proof of authorization to work in this private property;
   g. Should the work or utility connection require an easement or vacation of an easement, proof that the easement or vacation has been obtained;
   h. Other proof of capability to perform such work as required by the Utility Department;
   i. Commencing work without a permit from the Utility Department shall be subject to fines as specified in NPMC 13.12.150, Prohibited acts.
2. A minimum of forty-eight hours’ notification is required to schedule an inspection by the North Pole Utility.
3. All work must be inspected by the North Pole Utility before water is returned to the main and the work is covered. Work not inspected by the North Pole Utility before it is covered shall be re-excavated for inspection by the North Pole Utility at the owner’s expense.
4. The service line connection shall be installed according to the City of North Pole Utility Standards of Construction. (Ord. 12-03 § 2, 2012; Ord. 08-25 § 2, 2008; Ord. 04-08 § 2, 2004; Ord. 01-13 § 2, 2001; Ord. 00-16 § 2, 2000; Ord. 85-4 § 1, 1985; Ord. 82-8 § 3.B, 1982)

13.16.030 Multiple water services.
In buildings occupied by two or more water customers, the water service to each customer must be individually metered and adequately valved to permit disconnection of any customer without interrupting service to the other customers in the building. Existing services that do not meet these requirements will be disconnected, unless the owner of the building has:

A. Secured a contract arrangement with an approved contractor to modify the water service to meet these requirements; or
B. Has contracted to be the sole customer for the water service and has had a master water
meter installed to meter all water used in the building; or

C. Has entered into an agreement with the North Pole Utility to guarantee payment of all water
service into the building. (Ord. 12-03 § 2, 2012; Ord. 82-8 § 3.C, 1982)

13.16.040 Bulk and temporary water sales.
Bulk water sales shall be charged at the current bulk water per gallon water charge, including
facilities repair and replacement charge, plus a service charge which shall be a minimum of $25
(twenty-five dollars) or ten percent of the transaction, whichever is greater. Each discharge of
water shall be considered an individual transaction and subject to a service charge. (Ord. 12-03 §
2, 2012; Ord. 00-16 § 2, 2000; Ord. 82-8 § 3.D, 1982)

13.16.050 Liability.
A. The North Pole Utility shall not be held liable for damage by fire, flooding, freezing, or
other causes resulting from defective piping, fixtures or appliances on the customer’s premises
supplied with water from the North Pole Utility.

B. Inspection of piping, fixtures and appliances shall not create any liability against the North
Pole Utility or the employees thereof for damages to persons or property resulting from defective
piping, fixtures or appliances on the premises. (Ord. 12-03 § 2, 2012; Ord. 00-16 § 2, 2000; Ord.
82-8 § 3.E, 1982)

13.16.060 Prohibited acts.
A. No person without first obtaining a permit from the City of North Pole shall be allowed to
make a connection to any facility of the North Pole Utility or to make alterations in any conduit,
pipe or other fitting connecting directly therewith, or to connect pipes where they have been
disconnected, or to turn water service on or off in any premises. No person other than an
authorized employee of the North Pole Utility may turn on or turn off any water main of the
North Pole Utility system.

B. No person other than an authorized employee of the North Pole Utility or a member of the
Fire Department in connection with official duties may connect to, turn on, or turn off any fire
hydrant located on the North Pole Utility system without first obtaining a contract from the City.
Illicit connection to, turn-ons or turn-offs of any fire hydrant shall result in a fine of $1,500 (one
thousand five hundred dollars) plus liability for the estimated value of any discharged water and
liability for damage to all public or private property caused by the illicit connection to or turn-on
or turn-off of a fire hydrant.

C. No person may allow a premises or facility which is served by the North Pole Utility to be
connected to another water system, including a private well or other on-property facility, or to
have service from another system readily available to the premises or facility in such a manner
that the integrity of the North Pole Utility water service may be jeopardized. Notwithstanding the
prohibitions of this section, standby service may be permitted by the North Pole Utility to
customers, such as hospitals, clinics or government facilities, if it is determined that the failure of
the water supply would be detrimental to the public health, welfare or security; provided, that
such a customer must install at his own expense a backflow preventer of a type approved by the
Utility Supervisor or his designated representative, prior to commencement of
service.

D. In accordance with the latest adopted edition of the Uniform Plumbing Code, the North Pole
Utility will not permit any cross-connection and will discontinue service to any persons or
premises where a cross-connection exists. The property owner will be responsible for any
expenses associated with disconnection and reconnection of utility service. Service will not be
restored until the cross-connection is eliminated. Customers using water from one or more
sources in addition to receiving water from the North Pole Utility on the same premises shall
maintain separate systems for each, and the North Pole Utility’s water supply facilities shall be
separated from any and all other systems by an air gap of not less than one foot, or if in the
ground, by not less than five feet.

E. Repealed by Ord. 12-03.

F. No person may furnish or provide water with or without charge to another premises located
in an area where a service connection could supply water from the North Pole Utility. The
service may be disconnected for any utility customer performing such acts.

G. No person may waste water supplied by the North Pole Utility. In the event that water
wasting is found to jeopardize the functioning of the North Pole Utility, the North Pole Utility
may disconnect the service where water is being wasted. (Ord. 12-03 § 2, 2012; Ord. 09-06 § 3,
2009; Ord. 08-25 § 2, 2008; Ord. 00-16 § 2, 2000; Ord. 82-8 § 3.F, 1982)

Chapter 13.20
SEWER SERVICE

Sections:
13.20.020 Policies and conditions of service.

R. Private Wastewater Disposal.
   1. Where a public sewer is not available under the provisions of the Uniform Plumbing
      Code (UPC), the building sewer shall be connected to a private wastewater disposal system
      complying with the same provisions and applicable City, State and Federal requirements.
2. Upon completion of construction of a sewer system extension in an area, the City shall publish a notice that sewer service is available to serve the property owners of that area.

   i. The owner of a property located within the corporate city limits of the City of North Pole as defined in NPMC 13.20.020(A)(4) and served by a private wastewater disposal system shall have installed or cause to be installed, at his expense, a connection to the public sewer within no less than two years from the date such sewer service is declared to be available, or any other timetable as prescribed by City Council or City code. Prior to the sale of a property served by a wastewater service system, hookup to the wastewater service is required. The connection shall be of a type and installed in a manner consistent with this chapter. Monthly wastewater fees as established by City code shall begin at time of such connection.

   ii. The owner of a property located outside of the corporate city limits of the City of North Pole may connect to a sewer system extension in an area. Connection to the sewer system shall be at their expense. The connection shall be of a type and installed in a manner consistent with this chapter. Monthly wastewater fees as established by City code shall begin at time of such connection.

3. Tie-in fees for new service areas are to be established by resolution of the Council. Tie-in fees are due at time of connection; however, arrangements may be made to amortize tie-in fees over a twelve-month period.

4. Failure to connect to available sewer service within the two-year time period shall be cause for the property owner to be billed and required to pay the applicable monthly wastewater fee on an ongoing month-by-month basis. In addition, the tie-in fee becomes due and payable; however, arrangements may be made to amortize tie-in fees over a twelve-month period.

5. Failure to connect or pay applicable fees within three years of notice shall be cause for the City to file a lien against said property for outstanding tie-in fees and/or wastewater fees. Such lien shall be reviewed annually and may be adjusted to reflect actual outstanding balances.

S. Building Sewers. All building sewers shall be installed in complete accordance with provisions of the Uniform Plumbing Code.

T. Service Connection.

   1. No unauthorized person(s) shall uncover, make any connections with or openings into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written sewer connection permit from the Mayor or designated representative.

   2. Where construction, repair, maintenance and excavation in public streets are involved, see North Pole Water and Sewer Standards of Construction.
3. The owner shall be responsible to the City for any loss or damage that may directly or indirectly be occasioned by the installation of the service connection.

4. All requested permit applications shall be screened and evaluated by the Utility Manager, Director of City Services and the Mayor or designated representative to determine the following:
   a. The quantity and characteristics of the sewage to be introduced;
   b. The availability of a public sewer;
   c. The sufficiency of the public sewer capacity;
   d. The commitment of the owner for payment of assessments;
   e. The commitment of the owner to comply with all provisions of this code.

Unacceptability of any item above shall be sufficient grounds for denying the application. The applicant, if required by the City, shall provide such data as is necessary for the above determination.

5. Every service line shall contain cleanouts outside the building as required by the Uniform Plumbing Code.

6. All structures shall contain a backwater valve to prevent sewer backup inside the confines of the structure as required by the most current edition of the Uniform Plumbing Code adopted by the City.

7. Individual Sewer Services. Independent and separate sewer services shall be provided on each lot for all buildings within the City or that are to be ultimately connected to the municipal sewer system. Common sewer services are expressly prohibited in zero lot line and townhouse developments. Condominiums or planned unit developments with specific association agreements subject to the City’s review and satisfaction may be allowed as exceptions. The customer provides and pays for all expenses required to install the necessary sewer pipe, fittings, cleanouts, manholes and pump stations required to connect the property to the City sewer at the point of connection designated by the Utility Supervisor or his designated representative.

8. Sampling and Observation Station. When required by the Utility, any commercial or industrial user shall install a suitable sampling station on his property to facilitate observation, sampling and measurement of wastes. Such station, when required by the North Pole Utility, shall be accessible and safely located and shall be constructed in accordance with plans approved by the North Pole Utility Department. The customer provides and pays for all expenses required to install the necessary sampling station and maintain it in accordance with the Uniform Plumbing Code and the local limits criteria listed in subsection (F)(2) of this section. Final acceptance of such a device and the operation and maintenance plan to ensure its proper performance is subject to approval by the North Pole Utility Department. Further applicability and information on this requirement can be obtained from the North Pole Utility.
10. Installation of sewer stub line and sewer connections:
   a. All sewer stub lines shall be installed and mains tapped by a contractor licensed by the State. As a prerequisite to commencing any work on the Utility, the contractor shall furnish:
      i. Contractor’s license (State of Alaska);
      ii. Proof of workman’s compensation insurance, if required by law;
      iii. A bond in the amount of $5,000 (five thousand dollars);
      iv. Other proof of capability to perform such work as required by the Public Works Director of City Services.
   b. The party or parties installing the building sewer line portion outside the street right-of-way need not meet the requirements of a bonded contractor as outlined above, but they shall make the City aware of their capabilities to perform such work. Those installing this portion of the water service line will, however, be required to meet the same material and workmanship qualifications outlined in the City of North Pole Standard of Construction Specifications.

U. Maintenance and Repair. Users shall be responsible for all maintenance and repair of their service line, connection cleanouts, backwater valves, and shall further be responsible for the removal of soft plugs or debris which accumulate in their service line or connection as well as frozen service line and connections. Users shall ensure that all-weather access is available to sewer system personnel for cleanouts, valves, control manholes and pretreatment facilities located on user property.

V. Claim for Sewage Blockages.
   1. Subject to the provisions of subsection (V)(2) of this section, if it is determined that a backup problem stems from a blockage within a City sewer easement or a main line plug and the property owner notifies the sewer manager prior to incurring costs for cleaning and/or thawing, the customer is eligible for reimbursement of such costs.
   2. If it is determined that a backup problem stems from a blockage or other malfunction existing within a sewer interceptor or lateral located within the City easement, and if it is determined that such interceptor or lateral was installed by a person, corporation or other entity who, at the time of such installation, was not under contract with the City to install such improvements, then and in such event, the property owner shall have the burden of showing that the person, corporation, or other entity responsible for such installation complied with the provisions of this code prior to connection to the municipal sewer system. If such compliance cannot be established, the customer shall not be eligible for reimbursement of the costs of cleaning and/or thawing, or repairing such broken connection or other obstruction.
   3. The City will reimburse the customer for steam thawing when performed by a licensed bonded contractor if:
a. It is determined that the total cost has been paid to the vendor; and
b. An original copy of the vendor’s invoice, marked paid, is submitted to the City within one hundred twenty days of the date the work was performed; and
c. When it has been determined that the backup and/or freezing was caused by a main line plug.

4. Liability resulting from blockages shall be limited in any event to reimbursement for correction of the blockage.

W. Liability for Damages Due to Failure of Service. The sewer utility will exercise reasonable diligence in furnishing utility service in compliance with applicable laws and regulations but will not be liable for damage caused by interruptions to service, irregularity of services, or failure of service which occurs as a result of failure of utility facilities, accidents, acts by third persons, or circumstances beyond the Utility’s reasonable control.

X. Service Interruptions. The sewer utility reserves the right to temporarily suspend services when necessary for the purpose of new installations, repairs, testing, modification, expansion, correction or replacement of the system. The Utility will attempt to notify affected utility users of impending service interruptions where possible and where not precluded by emergency conditions. The Utility will exercise reasonable diligence in avoiding inconvenience which may arise out of necessary service interruptions.

Y. Disclaimer of Warranty. Any approval by the City of a type, kind or capacity of an installation shall not relieve a person of the responsibility of revamping, enlarging or otherwise modifying such installation to accomplish an intended purpose, nor shall any written or oral agreement as to limits of constituents of volume of waters or waste be considered as final approval for continuing operation. These limits will be subject to constant study and change as considered necessary to serve their intended purpose. The utility expressly disclaims warranty to facilities installed by users or by users’ representatives. (Ord. 15-05 § 2, 2015; Ord. 12-15 § 2, 2012; Ord. 04-08 § 2, 2004; Ord. 01-03 § 2, 2003; Ord. 00-16 § 2, 2000; Ord. 98-16 § 2, 1998; Ord. 88-1 § 2, 1988; Ord. 87-12 § 3, 1987)

Chapter 13.24
UTILITY RATES

Sections:
13.24.030 Senior determination.
13.24.050 Meter installation.
13.24.080 Significant industrial user charges.
13.24.090 Fee for connection to City utility mains.

Monthly water and sewer utility rates beginning January 1, 2016, shall be the following:

<table>
<thead>
<tr>
<th>Customer class</th>
<th>Per gallon water</th>
<th>Monthly base water charge</th>
<th>Per gallon sewer charge</th>
<th>Monthly base sewer charge</th>
<th>FRR&lt;sup&gt;2&lt;/sup&gt; – Water per gallon charge</th>
<th>FRR&lt;sup&gt;2&lt;/sup&gt; – Sewer per gallon charge</th>
<th>FRR&lt;sup&gt;2&lt;/sup&gt; Significant industrial discharger, sewer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family residential</td>
<td>$0.01705</td>
<td>$5</td>
<td>$0.0134</td>
<td>$5</td>
<td>$0.0025</td>
<td>$0.0025</td>
<td>–</td>
</tr>
<tr>
<td>Senior single-family residential</td>
<td>$0.008525</td>
<td>$5</td>
<td>$0.0067</td>
<td>$5</td>
<td>$0.0025</td>
<td>$0.0025</td>
<td>–</td>
</tr>
<tr>
<td>Multifamily residential</td>
<td>$0.01705</td>
<td>$25</td>
<td>$0.0134</td>
<td>$25</td>
<td>$0.0025</td>
<td>$0.0025</td>
<td>–</td>
</tr>
<tr>
<td>Senior multifamily-residential</td>
<td>$0.01705</td>
<td>$25</td>
<td>$0.0134</td>
<td>$25</td>
<td>$0.0025</td>
<td>$0.0025</td>
<td>–</td>
</tr>
<tr>
<td>Commercial</td>
<td>$0.01705</td>
<td>$25</td>
<td>$0.0134</td>
<td>$25</td>
<td>$0.0025</td>
<td>$0.0025</td>
<td>–</td>
</tr>
<tr>
<td>Commercial/significant industrial discharger</td>
<td>$0.01705</td>
<td>$25</td>
<td>$0.0134</td>
<td>$25</td>
<td>–</td>
<td>–</td>
<td>$0.003911</td>
</tr>
<tr>
<td>Bulk water charge</td>
<td>$0.03</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire hydrant meter</td>
<td>$0.03</td>
<td>$500 deposit&lt;sup&gt;3&lt;/sup&gt;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. The monthly sewer charge for the months of May, June, July and August will be capped at an amount not to exceed the average of the water usage during the months September through April for single-family and senior single-family residential customers only.

2. Facility repair and replacement: funds generated to repair and replace utility capital infrastructure.
3. Fire hydrant meter deposit: The deposit is returned if the equipment is returned in good working order with no damages. Any damages to the equipment are deducted from the deposit. Any damages in excess of the deposit are added to the customer’s bulk water charges invoice. (Ord. 15-22 § 2, 2015; Ord. 13-16 § 2, 2013; Ord. 12-24 § 2, 2013; Ord. 12-04 § 2, 2012; Ord. 11-11 § 2, 2011; Ord. 11-01 (Substitute A) § 2, 2011; Ord. 11-01 § 2, 2011; Ord. 08-25 § 2, 2008)

13.24.030 Senior determination.
A. Senior Single-Family Residential. Senior citizens sixty-five two and one half years or older need only submit a Utility Discount Rate Request Form once to receive the discounted rate for the duration of their utility account with the City.

B. Senior, Multifamily Residential. Multifamily facilities that serve senior clientele are eligible to receive senior multi-family residential utility rates. To be eligible to receive the low-income multifamily residential utility rates, the facility must have a minimum of seventy percent of their beds dedicated to individuals sixty-five years and older. (Ord. 12-04 § 2, 2012)

A. Purpose of the Emergency Fund. The City of North Pole recognizes that residential utility customers can encounter emergency situations that make paying their monthly utility bills a hardship. To help prevent residential utility customers’ utility accounts becoming delinquent, the City has created the emergency fund. A residential utility customer facing an emergency that could cause them a financial hardship may apply for temporary assistance to pay a portion or their entire North Pole Utility bill.

B. Contributing to the Emergency Fund. North Pole Utility customers shall be provided with the option to contribute to the emergency fund. Customers will be provided the option to contribute any sum they wish to the emergency fund either as an addition to their utility payment or as a separate payment. Provision will be provided on monthly utility bills for customers to make donations to the emergency fund. When terminating their utility accounts, customers will be provided the option to transfer all or part of their deposits to the emergency fund. Contributions to the emergency fund are not tax deductible. The City at its discretion may make a contribution to the emergency fund. Any City funds contributed to the emergency fund cannot at a later date be withdrawn by the City from the fund.

C. Management of Emergency Funds. All funds contributed to the emergency fund shall be deposited in a dedicated interest earning account wholly separate from the operating funds of the City. Emergency funds can only be used to offset North Pole water and sewer utility bills of residential utility customers requesting assistance. Emergency funds cannot be used to pay utility assessments; liquidated damages payments; commercial or multifamily utility bills; utility tie-in fees; or accounts delinquent for nonemergency reasons. The purpose of the emergency fund is to
provide temporary assistance to utility customers facing short-term hardships and not to provide ongoing utility bill subsidies for utility customers. 

- Applicants for emergency assistance eligible for the low-income single-family residential utility rates will be encouraged to apply for these rates.

D. Awarding of Emergency Funds.

1. Emergency Fund Committee. An independent committee recommended by the Mayor and approved by the City Council shall recommend emergency fund awards to utility customers applying for assistance to pay their monthly North Pole Utility bills. The committee shall be composed of no more than seven members, but always an odd number. The Director of City Services or his representative shall be an ex officio member of the committee. A minimum of a majority of the committee must be present at a meeting to recommend an award of emergency funds. In the event a quorum of the committee is unable to meet in time to make award recommendations to the Mayor, the Mayor has the authority to make awards without the committee’s recommendation. In the event the Mayor must make awards without the committee’s recommendation, the Mayor shall provide a written explanation of the reason he has authorized a payment from the emergency fund and the criteria he used for making the payment authorization. All recommendations made by the committee, Mayor correspondences authorizing payments and records of payments from the emergency fund shall be maintained by the City Clerk.

   a. Guidelines for Awarding Emergency Funds.

   i. Significant decline in household income to one hundred fifty percent or below the poverty level as defined by the most current federal Health and Human Services Poverty Guidelines. 

   ii. Unexpected major household expenses like medical, emergency home repair, emergency automobile repair, etc.

   iii. Changes in family status like divorce, separation, or deployment of a military spouse.

   iv. Other criteria as documented by the committee and/or Mayor.

2. Awarding Emergency Funds. The committee can recommend award assistance no greater than funds available in the emergency fund and cannot recommend awards that create a financial liability for the City. No applicant for an emergency fund award can receive an award that exceeds $125 (one hundred twenty-five dollars) per month. Awards are not cash payments but direct transfers from the emergency fund to the North Pole Utility to offset the applicant’s utility bill. The committee will make its recommendations in writing for awards from the emergency fund to the Mayor. The Mayor has final authority for approving emergency fund awards.

3. Application for Emergency Fund Award. A North Pole Utility customer seeking an award from the emergency fund to help them pay all or part of their North Pole Utility bill shall provide a written explanation of why they need an award. The explanation shall include...
the dollar amount of their utility bill and the dollar amount of their award request. Applicants shall submit their request for an award no later than the twentieth of the month. If the twentieth of the month falls on a weekend or holiday the application is due on the first business day following the twentieth. (Ord. 12-04 § 2, 2012; Ord. 08-25 § 2, 2008)

13.24.050 Meter installation.

Water meters are required on all services connected to the City water system or sewer system. Meters shall be installed at the time of service connection to the North Pole Utility and utility billing shall begin at the time of service connection. All new construction with access to the City water system must install a meter loop to facilitate meter installation. The North Pole Utility will furnish an approved meter for each service. The customer shall ensure that the North Pole Utility has access to the meter for repair, replacement and performance of maintenance on the meter. All meters must be installed in a heated/conditioned space. (Ord. 12-04 § 2, 2012; Ord. 08-25 § 2, 2008; Ord. 04-08 § 2, 2004; Ord. 01-13 § 2, 2001; Ord. 00-16 § 2, 2000; Ord. 99-14 § 2, 1999; Ord. 97-18 § 3, 1997; Ord. 96-19 § 2, 1996; Ord. 95-21 § 2, 1995; Ord. 82-8 § 5.E, 1982)

13.24.080 Significant industrial user charges.

In addition to the commercial rate cited in NPMC 13.24.020, significant industrial users (SIU), as defined in NPMC 13.20.010(D), shall be subject to the following added charges:

A. Facilities Replacement Rate. This rate shall offset the cost of the City’s facilities used by the SIU. These funds will provide for replacing, increasing and/or augmenting the facilities so used to accommodate the private and commercial usage originally planned for.

1. The following table contains the factors that shall be used in calculating the FRR:

<table>
<thead>
<tr>
<th>COMPONENT</th>
<th>LIFE</th>
<th>INTEREST</th>
<th>CRF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lift stations</td>
<td>120</td>
<td>7%</td>
<td>0.0116</td>
</tr>
<tr>
<td>Treatment works</td>
<td>240</td>
<td>7%</td>
<td>0.0078</td>
</tr>
<tr>
<td>Sewer lines</td>
<td>480</td>
<td>7%</td>
<td>0.0062</td>
</tr>
</tbody>
</table>

i = Interest rate = 7.00%/year
CRF = Capital recovery factor (uniform series)
C = Construction value = Cost of major component
Qsiu = SIU flow (k gal./mo.)
Qdes = Design capacity flow (k gal./mo.)
FRR = Facilities replacement rate ($/k gal.)

Each major component (lift station, lagoon, sewer line) of the SIU flow path shall be considered separately as to its design life and SIU proportion of flow capacity. The
aggregate sum of the component shares shall be divided by the estimated total SIU monthly
flow to arrive at a rate.

\[
\text{FRR} = \frac{Q_{\text{siu}} \times C \times CRF}{Q_{\text{des}}} + \text{for each major component} \times \frac{1}{Q_{\text{siu}}}
\]

The FRR shall be revised whenever there is a significant change in any of the affecting
factors, but not more than once a year.

C. High Strength Surcharge. In order to maintain a high quality of treatment and effluent
discharge to the public waterways, it is the intention of the City to require any SIU to
pretreat their sewage to meet the regulating parameters set forth in this section. If the
SIU’s discharge into the City’s system exceeds these parameters due to an accidental
discharge, the SIU shall in addition to the requirements in other sections and any fines
and penalties be subject to the following high strength surcharge (HSS):

\[
\text{HSS} = \frac{\text{BOD}_{\text{siu}} \times (\text{excess}) \times R}{200 \text{ mg/l}} + \frac{\text{TSS}_{\text{siu}} \times (\text{excess}) \times R}{200 \text{ mg/l}} + \frac{\text{COD}_{\text{siu}} \times (\text{excess}) \times R}{500 \text{ mg/l}} + \frac{\text{T}_{\text{siu}} \times (\text{deficit}) \times R}{36^\circ F}
\]

where:

- \(\text{BOD}_{\text{siu}} \times (\text{excess})\) = BODs of significant industrial user’s discharge, minus 200 mg/l.
- \(\text{TSS}_{\text{siu}} \times (\text{excess})\) = Total suspended solids of significant industrial user’s discharge, minus 200 mg/l.
- \(\text{COD}_{\text{siu}} \times (\text{excess})\) = COD of significant industrial user’s discharge, minus 500 mg/l.
- \(\text{T}_{\text{siu}} \times (\text{deficit})\) = 45°F minus temperature of significant industrial user’s discharge at the point
  of connection.
- \(R\) = The commercial rate cited in NPMC 13.24.020.

The duration of HSS shall be from last permit compliant sample to the succeeding permit
compliant sample measured by either the City or the SIU.

This charge applies only when the SIU discharge into the City’s system exceeds two hundred
milligrams per liter \(\text{BOD}^5\), and/or two hundred milligrams per liter total suspended solids, and/or
five hundred milligrams per liter chemical oxygen demand, and/or the temperature is less than
forty degrees Fahrenheit.

C. SIU-Specific IPP Fees. In addition to all other charges under this chapter, each SIU shall
pay for any services specifically associated with that SIU for the administration, monitoring, or
enforcement of the IPP. SIU-specific IPP services shall include, but are not limited to, IPP
development costs, permit application and renewal, plan review, IPP compliance monitoring
laboratory and inspection work, and spill or permit violation response work. The charges for
such services will include the City’s direct costs including charges from subcontractors, plus an
administrative overhead fee from the City, and will be charged directly to the SIU. (Amended
during 2015 reformat; Ord. 12-15 § 3, 2012; Ord. 12-04 § 2, 2012; Ord. 08-05 § 2, 2008; Ord.
01-16 § 2, 2001; Ord. 97-18 § 3, 1997; Ord. 96-19 § 2, 1996; Ord. 95-21 § 2, 1995; Ord. 93-6 §
2, 1993; Ord. 88-1 § 2, 1988; Ord. 87-12 § 3, 1987)

13.24.090 Fee for connection to City utility mains.
Repealed by Ord. 12-04. (Ord. 08-05 § 2, 2008; Ord. 98-16 § 2, 1998; Ord. 97-18 § 3, 1997; Ord.
96-19 § 2, 1996; Ord. 95-21 § 2, 1995; Ord. 93-6 § 2, 1993; Ord. 87-12 § 3, 1987; Ord. 82-8 §
5.G, 1982)

13.24.100 Negotiated rates.
Rates for special or temporary usage of utility services which are not strictly addressed in this
chapter shall be established by the City Council on an individual case basis. (Ord. 12-04 § 2,
2012; Ord. 97-18 § 3, 1997; Ord. 96-19 § 2, 1996; Ord. 95-21 § 2, 1995; Ord. 93-6 § 2, 1993;
Ord. 87-12 § 3, 1987; Ord. 82-8 § 5.H, 1982)

13.24.110 Flat rates.
Customers whose water service is unmetered or whose water meter is nonfunctional or the
Utility is unable to replace the water meter shall be charged the following flat rates based upon
their customer class. Customers’ failure to connect to available water and/or sewer service within
the mandated two-year time period shall be cause for the property owner to be billed and
required to pay the applicable monthly water and/or sewer flat rate fee on an ongoing month by
month basis as per NPMC 13.12.090, Compulsory connection to City water and sewer utility.
Monthly water and sewer utility flat rates beginning January 1, 2012, shall be the following:

<table>
<thead>
<tr>
<th>Customer class</th>
<th>Water</th>
<th>Monthly base water charge</th>
<th>Sewer</th>
<th>Monthly base sewer charge</th>
<th>FRR water</th>
<th>FRR sewer</th>
<th>FRR significant industrial discharger, sewer</th>
<th>Total monthly charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family residential</td>
<td>$50</td>
<td>$5</td>
<td>$50</td>
<td>$5</td>
<td>$5</td>
<td>$5</td>
<td>–</td>
<td>$120</td>
</tr>
<tr>
<td>Senior single-family residential</td>
<td>$25</td>
<td>$5</td>
<td>$25</td>
<td>$5</td>
<td>$5</td>
<td>$5</td>
<td>–</td>
<td>$70</td>
</tr>
<tr>
<td>Multi-family residential</td>
<td>$100</td>
<td>$25</td>
<td>$100</td>
<td>$25</td>
<td>$10</td>
<td>$10</td>
<td>–</td>
<td>$270</td>
</tr>
</tbody>
</table>
### Table

<table>
<thead>
<tr>
<th>Customer class</th>
<th>Water</th>
<th>Monthly base water charge</th>
<th>Sewer</th>
<th>Monthly base sewer charge</th>
<th>FRR water</th>
<th>FRR sewer</th>
<th>FRR significant industrial discharger, sewer</th>
<th>Total monthly charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior multi-family residential</td>
<td>$100</td>
<td>$25</td>
<td>$100</td>
<td>$25</td>
<td>$10</td>
<td>$10</td>
<td></td>
<td>$270</td>
</tr>
<tr>
<td>Commercial</td>
<td>$200</td>
<td>$25</td>
<td>$200</td>
<td>$25</td>
<td>$20</td>
<td>$20</td>
<td></td>
<td>$490</td>
</tr>
<tr>
<td>Commercial/significant industrial discharger</td>
<td>$1,000</td>
<td>$25</td>
<td>$1,000</td>
<td>$25</td>
<td>–</td>
<td>–</td>
<td>$100</td>
<td>$2,150</td>
</tr>
</tbody>
</table>

### 13.24.120 Account deposits.

A. Creation of Water and Sewer Utility Accounts.

1. Deposits, Water. There is a $75 (seventy-five-dollar) deposit required to open a utility water account.

2. Deposits, Sewer. There is a $75 (seventy-five-dollar) deposit required to open a utility sewer account.

B. Return of Utility Account Deposit.

1. An account holder with no delinquent utility charges or other delinquent charges owed to the City of North Pole during the account holder’s first twenty-four months of their utility account shall receive one hundred percent of their deposit(s) returned to them.

2. An account holder with only one month where their account carried delinquent utility charges in the first twenty-four months of their account and no delinquent charges in the second twenty-four months of their utility account and no other delinquent charges owed to the City of North Pole shall receive one hundred percent of their deposit(s) returned to them after twenty-four months.

3. An account holder’s utility deposit(s) shall be held until the account holder closes the account if they have one month where their account carried delinquent utility charges during the first forty-eight months of their utility account.

C. Application of Deposit to Final Utility Charges.

1. A utility account holder’s utility deposit shall be applied to their final utility bill. Should there be an outstanding balance in the deposit after payment of the final utility bill, the balance shall be returned to the former account holder.
2. The utility shall make a good faith effort to return the balance of a former utility account holder’s outstanding utility deposit; however, any utility deposits returned or not claimed after a period of three months shall be transferred to sewer or water miscellaneous utility revenue account as appropriate. (Ord. 15-05 § 2, 2015)

13.24.130 Round-Up utility rate.
A. Voluntary Participation. Utility account holders may voluntarily choose to participate in the Round-Up program and they may withdraw from the program at any time.
B. The Round-Up utility rate shall be calculated by rounding up the total monthly utility charge on a utility bill to the nearest whole dollar amount; for example, a utility bill calculated at $77.23 would be rounded up to $78 (seventy-eight dollars).
C. The revenue generated by the Round-Up program shall be used to support the emergency utility customer payment fund established in NPMC 13.24.040.
D. Funds generated by the Round-Up program shall be deposited in a dedicated fund. (Ord. 15-05 § 2, 2015)

Chapter 13.28
LIEN ON REAL ESTATE FOR DELINQUENT UTILITY PAYMENTS AND ACCOUNT RESOLUTION PROCEDURES
Sections:
13.28.010 Lien rights.
13.28.020 Delinquent utility account resolution process.

13.28.010 Lien rights.
A. The City of North Pole shall have a lien upon any and all real property serviced by any of the utilities referenced in this title for the payment of all charges incurred by the utility customer with the City. This lien shall be superior to any and all other liens to the maximum extent allowed under State law.
B. The Utility Billing Clerk shall maintain a list of all individuals whose utility accounts with the City are more than ninety days delinquent. The list shall include the name of the individual holding the account with the City North Pole Utility, the legal description of the property serviced by the North Pole Utility, and the amount delinquent. The Utility Billing Clerk shall cause a lien to be recorded for the amounts owed, including fees, costs and attorney fees, ninety days from the date of delinquency.
C. The lien created in this section may be foreclosed upon pursuant to the procedures set forth in NPMC 13.28.020.

D. The customer of the City utility shall pay all administrative fees, costs and attorney fees incurred by the City in the collection of the delinquent utility bills and said amount shall be included in the lien in favor of the City. (Ord. 11-04 § 2, 2011; Ord. 99-7 § 3, 1999)

13.28.020 Delinquent utility account resolution process.

A. Thirty Days Past Due Accounts. When a utility account becomes thirty days past due, the customer shall receive their regular utility bill indicating the account balance including any additional charges. In addition to sending the account holder their utility bill, the City shall do the following:
   1. The account balance shall include a late charge calculated at 0.00875 percent of the delinquent account balance.
   2. The account holder shall be sent by regular U.S. mail a separate notification that the account is delinquent.

B. Sixty Days Past Due Accounts. When an account becomes sixty days past due, the customer shall receive their regular utility bill indicating the account balance including any additional charges. In addition to sending the account holder their utility bill, the City shall do the following:
   1. The account balance shall include a late charge calculated at 0.00875 percent of the delinquent account balance.
   2. A lien shall be filed against the property owner responsible for the account. If the utility account holder is a tenant, the lien shall be filed against the property owner.
   3. The utility account shall be assessed a liquidated damages fee equivalent to the charges to file and remove a lien plus a $25 (twenty-five dollar) filing fee.
   4. The account holder shall be sent a notice of account delinquency via certified mail indicating the amount of the account balance, including all additional charges, and notification that a lien has been filed against the property.
   5. The City will attempt to contact, by certified mail, the property owner if the delinquent account is for a tenant. It is the responsibility of property owners to notify the City of tenant-owner relationships and to provide the City with current contact information.

C. Ninety Days Past Due. When an account becomes ninety days past due, the account holder shall receive their regular utility bill indicating account balance including any additional charges. In addition to sending the account holder their utility bill, the City shall do the following:
   1. The account balance shall include a late charge calculated at 0.00875 percent of the delinquent account balance.
2. A liquidated damages charge of $50 (fifty dollars) shall be added to the account balance after determination of the late charge.

3. The account holder shall be sent a notice of account delinquency via certified mail indicating the amount of the account balance, including all charges. The notification shall indicate the deadline that the account holder must pay the delinquent account balance or by which they must sign a legally binding confession of judgment specifying a repayment plan to prevent a shutoff of water service.

4. A door hanger shall be placed at the residence of the delinquent account holder indicating the amount of the account balance, including all charges. The door hanger shall indicate the deadline that the account holder must pay the delinquent account balance or by which they must sign a legally binding Confession of Judgment specifying a repayment plan to prevent a shutoff of water service.

5. If the account holder has neither paid the delinquent utility account balance in full by the deadline specified in the certified mail notification and in the door hanger notice nor signed a confession of judgment, the City shall, unless the account holder consents to the City entering the premises to shut off the water, initiate legal action to shut off water service to the property. Upon proof of compliance with this chapter, the City shall be entitled to a writ of assistance and an order allowing it to enter the premises served by the Utility for the purpose of shutting off the water service and to verify, at reasonable intervals based on the circumstances, that the water shutoff device has not been bypassed or tampered with.

5. The North Pole Utility shall be entitled to terminate water service to a delinquent utility account holder if the account holder has neither paid the delinquent utility account balance in full by the deadline specified in the certified mail notification nor signed a confession of judgment, the City shall initiate action to disconnect water service to the delinquent property service address. (NPMC 13.12.130B). Should it not be practical, at the sole discretion of the North Pole Utility, to disconnect the water service due to weather or other conditions, the North Pole Utility may initiate legal action to shut off water service to the property. Upon proof of compliance with this chapter, the City shall be entitled to a writ of assistance and an order allowing it to enter the premises served by the Utility for the purpose of shutting off the water service and to verify, at reasonable intervals based on the circumstances, that the water shutoff device has not been bypassed or tampered with.

6. All legal fees and costs associated with resolving a delinquent utility account shall be borne by the account holder. In the case where the account is held by a tenant who fails to resolve the delinquent account, the landlord and tenant shall be jointly responsible for the delinquent account and any associated charges, costs or attorney fees.

7. The City will attempt to contact by certified mail the property owner if the delinquent account is for a tenant. It is the responsibility of property owners to notify the City of tenant-owner relationships and to provide the City with current contact information.
8. All accounts not paid in full upon completion of the above process, including account holders who fail to timely satisfy the terms of a confession of judgment, shall be subject to foreclosure of the entire parcel of real estate served by the Utility by complaint filed in the District or Superior Courts of the State of Alaska, as appropriate for the amount due. Upon presenting proof of completion of the process set forth in this chapter, and after the passage of sixty days from service of the foreclosure complaint, the City shall be entitled to a judgment of foreclosure against the real estate and judgment against the account holder, unless the account has been paid in full plus costs, attorney fees and interest incurred until the account is paid in full.

9. Upon the sale of foreclosed real estate, the property owner shall be entitled to all proceeds in excess of the amount owed to the City, after payment of all costs of sale or any other costs or attorney fees incurred by the City in collecting on the account. (Ord. 11-04 § 2, 2011)

Section 3. Effective date.

This ordinance shall become effective 8:00 AM, the date following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 15th day of August 2016.

Bryce J. Ward, Mayor

ATTEST

Kathryn M. Weber, MMC
North Pole City Clerk
Memo

To: North Pole City Council
From: Bill Butler
Date: July 27, 2016
Subject: Recommendation to approve purchase of a wood chipper by the Public Works Department

Recommendation

Approve the Public Works Department request to purchase a wood chipper for $18,990.00 (See attached quote.) Funds for the purchase will be from Street Maintenance, the major function that the chipper will support. (Current balance as of 7/27 equals $65,051.90.)

Background

The Public Works Department has increasingly taken responsibility for brush clearing along city streets and other brush clearing projects that in the past have been performed by private contractors. Public Works has a brush cutting attachment for its Bobcat that can clear moderate sized brush in ditches and road rights of way (ROW). The size of the bush that this attachment can clear safely is approximately one to two inches in diameter. This attachment effectively mulches the brush so the organic material can be left in place. Larger brush must be cleared with chain saws and other hand-held equipment. Brush cleared by hand must be loaded on to a truck, hauled to the City’s dump site, unloaded and the staff then returns to the work site to gather more brush. This approach is inefficient. In addition, the site where we dispose of brush is rapidly filling. The brush disposed at the site is not compacted, it consumes significant space and Public Works must periodically hire a contractor with a bulldozer or large loader to level the site and compact the accumulated brush. This contracted work can cost between $1,000 and $2,000 depending upon the time to complete the work and can exceed $2,000.

Brush chipped at the site where the brush is cut can often be left on site with no need to haul it to a disposal site. Should the volume or composition of chipped brush not be suitable for leaving on site, a chipper will automatically load the chipped brush onto a vehicle for hauling; the volume of the chipped brush is more compact so transporting it requires fewer trips to the dump site; the compacted volume of chipped brush will fill the dump site more slowly; and chipped brush at the dump site can be leveled with the Public Works’ equipment and chipped brush can be driven upon, therefore; requiring less frequent need for leveling of the dump site by a private contractor.
The accumulated brush in some cases represents a wasted resource. Brush, tree limbs, and logs if chipped by Public Works can be used for landscaping, for example; the dog park has a bed of chipped brush. Chipped brush can also be used in planting beds or to line walking trails.

Public Works contacted local vendors and was only able to find a single local vendor that provides commercial grade wood chippers. The recommended wood chipper will chip material up to eight inches in diameter. It can blow the chips into our dump truck for hauling. We did investigate wood chippers that can function as an attachment to Bobcats; however, these units have limited power and the maximum size of items that can be chipped is four inches. Using a wood chipper attached to the Bobcat also limits the use of the Bobcat—when chipping wood, Public Works cannot use the Bobcat to clear brush, making the department less efficient.

Rental of equipment was also considered. Rental equipment is only available if no one else has the equipment rented. The Department’s productivity is restrained trying to use rental equipment—staff time is required to collect and return the equipment to the vendor each time the equipment is rented. Rental of commercial-grade chippers can exceed several hundred dollars for a single day’s rental (not counting staff time to collect and return the unit). Longer-term rentals can exceed $1,000 or more depending upon the length of the rental. An important use for the chipper will be in “emergency” situations; for example, when trees fall across roads and they must be removed quickly. Chipping downed trees immediately is a service to our residents and using a chipper can make the process more efficient—less time is spent loading and unloading brush that must be hauled to the dump so more work can be done in less time resulting in roads being cleared more quickly.
Sold To: CODY LOUGEE  
CITY OF NORTH POLE  
125 SNOWMAN LN.  
NORTH POLE, AK 99705

Customer No: 11408  
Phone No: 907-488-2281

Ship To: 125 SNOWMAN LN.  
NORTH POLE, AK 99705


<table>
<thead>
<tr>
<th>Product Code</th>
<th>Item Description</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>BCCH8993H</td>
<td>CHIPPER 8&quot; 993cc/ AUTO FEED</td>
<td>1</td>
<td>18990.00</td>
<td>18990.00</td>
</tr>
<tr>
<td>MISC SAW SHOP</td>
<td>MISC SAW SHOP</td>
<td>1</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

INCLUDE SHIPPING TO THE WOODWAY, ASSEMBLED AND TEST RUN  
ALLOW 10 DAYS 2 WEEKS

=====================================================================
Sub-Total: 18990.00
Shipping: 0.00
Tax [ 0]: EXEMPT *
=====================================================================
Total: 18990.00

Thank you for your order!
No returns or exchanges without receipt.
Visit us online at www.TheWoodway.com

Amount Paid: 0.00  
Amount Due: 0.00  
Change: 0.00