



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-0788

COUNCIL MEMORANDUM NO. 92-110

From: Deputy Administrator
Date: September 24, 1992
Subject: Request for Payment for Damages

In early September the public Works Department had to temporarily shut off main water lines in order to connect the new Quality Auto Store on Westpoint Drive. George's Restaurant was placed out of service for a short time. The circumstances described by Bill Harvey are attached.

Several days ago I received a call from the wife of the proprietor of George's Restaurant. She asked if they could be compensated for their losses. I asked her to describe their losses, how they arrived at any figures and send them to me for Council consideration.

The section of the City Code pertaining to the water utility disclaims City responsibility for loss of water service.

Recommend Council deny reimbursement for temporary loss of water service.

Robert E. Harris
Deputy Administrator

APPROVED

DATE: 9-28-92
BY: Eh

GEORGE'S FAMILY RESTAURANT
 777 E PARKS HWY
 WASILLA ALASKA 99654

2291

CUSTOMER'S ORDER NO.	DEPT.	DATE Sept 8, 1992
NAME CITY OF WASILLA -- WATER UTILITY		
ADDRESS 290 E Herning Ave WASILLA AK 99654		

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MOSE RETD.	PAID OUT
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QUAN.	DESCRIPTION	PRICE	AMOUNT
1			
2	less water usage		
3	(water cut off for days)		300 00
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18	TOTAL		300 00

REC'D BY

REDIFORM
 5L320/01320

KEEP THIS SLIP
 FOR REFERENCE



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MEMO

TO: R. E. Harris
Deputy Administrator

FROM: William W. Harvey *W. W. Harvey*
Deputy Director of Public Works

DATE: September 24, 1992

**RE: Inadvertent shut off of water service to George's Family
Restaurant**

On Wednesday, September 9, 1992. The water main line on Westpoint was turned off in order to provide a 6" fire service line to the new Quality Auto Parts Store. The water was turned off at approximately 8:10 a.m. Due to misinterpretation of water plans by City personnel, George's Family Restaurant was also turned off as their service line is connected to the main on Westpoint. Water was restored at 10:50 a.m. the same day.

weeks advertising the availability of city water and of the mandatory connection requirements. (Ord. W80-S-1 §3 1980: Ord. 85-31 1985: Ord. 88-21 §3 1988)

5.10.030 Conditions of Service.

A. Supply. Water service shall be provided by the City, which shall exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to customers in adequate pressure and to avoid, insofar as reasonably possible, any shortage or interruption in delivery.

The City shall not be liable for damage resulting from interruption in service or lack of service. Temporary suspension of service by the City for improvements and repairs may be necessary. Whenever possible, and when time permits, all customers affected by such suspension will be notified prior thereto by notice through news media or otherwise.

B. Quality. The City will exercise reasonable diligence to supply safe and potable water at all times.

C. Ownership. All water mains, water connections, valves, fittings, hydrants and other appurtenances, except water extension lines shall be the property of the City, unless otherwise provided by the Council by written contract.

D. Classes of Service. The classes of service shall be residential or commercial. Residential services shall consist of all services where water is supplied for domestic purposes to a single family dwelling unit. Commercial services shall consist of all services where water is supplied for a commercial or business establishment, or multi-dwelling units. If water is supplied to a customer for use in both a single family dwelling unit and a business establishment, the rate for commercial services shall apply for the combined usage.

E. Resale of Water. Resale of water shall be permitted only pursuant to written contract between the Council and the party proposing to sell water.

F. Service preference. In case of a water shortage, the City may give preferences to customers as public convenience or necessity requires. Water service to customers outside the City shall at all times be subject to the prior superior rights of the customers within the City. (Ord. W80-S-1 §4 1980)

5.10.040 Application for Service.

A. Application Form. Each applicant for water service shall sign an application form provided by the City Clerk, giving the date of application, location of the premises to be served, the date applicant desires services to begin, class of service, the address for

connections or possibilities of contamination to the City Water System. (Ord. W80-S-1 §7 1980)

5.10.070 Metered Service-Tests.

A. All customers shall install meters at their own expense, the meter to be furnished by the City and remains City property. All meter installation shall be inspected by the City and such installation must be approved before water will be furnished therefrom.

B. Meter tests at request of the customer will be made, and if the meter is found to register within two percent (2%) of accuracy the customer shall pay a test fee of ten dollars (\$10.00). If the meter is found to register in excess of two percent (2%) fast or slow, the City will pay for the testing and will adjust the customer's bill accordingly.

C. Joint Use of Meters. Meters cannot be used by more than one customer except as provided by written contract with the City. (Ord. W80-S-1 §8 1980)

5.10.080 Water Rates. Water rates shall be determined by the Council, adopted by ordinance, and shall be available in the City Clerk's office for public inspection during regular business hours. (Ord. W80-S-1 §9 1980)

5.10.090 Notices.

A. Notices to Customers. Notices from the City to a customer will normally be given in writing, and either mailed to or delivered to the customer at his last known address. Where conditions warrant and during emergencies, the City may notify the customer either by telephone or messenger.

B. Notices from Customers. Notices from customers to the City may be given by the customer or his authorized representative orally or in writing at the office of the City Clerk or to the Utility Services Foreman of the City duly authorized to receive notices or complaints.

C. Notice of Discontinuance for Repairs. Notices from the City to a customer providing for the discontinuance of service for the purpose of repairs shall be given to a customer in writing Twenty-four (24) hours prior to such discontinuance, except in the case of emergencies. (Ord. W80-S-1 §10 1980)

5.10.100 Account Payment-Delinquent Accounts.

A. The City shall cause to have meters read during the third week of each month and mail bills to the address provided by the customer. Bills shall be due on the 15th day of each month. A penalty of \$5.00 or eight percent (8%) whichever is more, will be charged for late payment. Statement forms mailed by the City shall be