

**ORDINANCE NO. 2499**

**AN ORDINANCE AMENDING CODE SECTION 15-207 OF THE CITY  
CODE OF THE CITY OF SILVER LAKE, KANSAS BY ADDING CERTAIN  
PROVISIONS REGARDING USE AND PROTECTION OF WATER METERS BY THE  
CITY OF SILVER LAKE**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SILVER LAKE:

**Section 1.** The City Code shall be amended by changing the following sections:

15-207            METERS; LOCATION; OWNERSHIP; DAMAGE AND TESTING.

- (a) Meters shall be installed in a location protected from freezing and easily accessible for reading. The meters shall be furnished by the City and shall remain the property of the City.
- (b) The City, through its officers and employees, shall keep the meter in good repair unless damaged or injured by some cause other than by natural wear and tear. If the meter is damaged by freezing, rough use, mowing, or striking of the meter or meter pit in any manner the customer shall be charged the amount of the repair and the amount shall be collected with the bill, and if not paid within the time provided for the payment of bills, the water shall be disconnected in the manner provided by section 15-216. However, if the damage is limited to damage or breakage of the radio-read antenna, and the customer had no previous incident of damage to the meter, the same will be replaced without charge to the consumer. If the meter or antenna has been damaged in a separate and prior incident to the harm to the antenna by the customer, owner or consumer, the customer shall be charged for the replacement of the antenna.
- (c) If the customer contends that the meter is registering or reporting inaccurate amounts of water used, and not caused by any damage to the meter by the customer or other party, the customer must give notice to the City in writing, detailing the nature of the claimed inaccuracy and any evidence of the same. Officers of the City shall inspect the meter and related equipment to determine a cause and to test the meter at the location using standard testing methods. A meter is deemed to be testing accurately if, upon testing, its accuracy measures between 95 to 101%. If the City officers determine that the meter is testing accurately, no further action will be taken, and the meter will not be subject to re-inspection for one (1) year. If the meter is deemed to be measuring inaccurately, the City shall repair or replace the meter and credit any amount overpaid by the customer for the billing cycle at the time of the complaint, and the previous billing cycle. If the customer disputes the testing results by City officers or employees, the customer may appeal the determination. This appeal must be submitted in writing to the City within 10 days of notice of the determination. Along with the appeal, the customer shall submit a testing deposit of \$100.00 to the City, and the failure to submit the same shall be deemed a waiver of any right to appeal. Upon receipt of the appeal and deposit, the City shall have the meter tested by an independent agency or company to determine accuracy, and the deposit will be used to defray the costs of this testing. If this testing reveals an inaccuracy, as defined above, the testing deposit will be returned and the customer credited as provided above, along with replacement of the meter. If the meter passes the testing for accuracy, the testing deposit will be forfeited to the City, and the City may charge the consumer any and

all additional costs occasioned by the testing of the meter.

**Section 2.** This ordinance shall be published one time in the official city newspaper.

**Section 3.** This ordinance shall take effect and be in force from and publication.

**PASSED AND APPROVED** by the Governing Body of the City of Silver Lake, Kansas  
this 16<sup>th</sup> day of August, 2021.

  
\_\_\_\_\_  
**MACK SMITH, Mayor**

**Attest:**

  
\_\_\_\_\_  
Liz Steckel, City Clerk

Marie Beam, Assistant City Clerk

