

**VILLAGE OF ROCA, NEBRASKA**  
**ORDINANCE 2025-04**

AN ORDINANCE TO ESTABLISH A SCHEDULE OF RATES TO BE CHARGED FOR WATER SERVICE PROVIDED BY THE VILLAGE OF ROCA, NEBRASKA; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF ROCA, NEBRASKA:

**Section 1** That the following rates and charges for water service are established and shall become effective on September 9, 2025.

1. Minimum Monthly Charge within Village Limits:	\$70.00/month
2. Minimum Monthly Charge outside Village Limits:	\$70.00/month
3. Charge per 1,000 gal consumed within Village Limits:	\$5.75/month
4. Charge per 1,000 gal consumed outside Village Limits:	\$6.00/month
5. Fee for non-functioning Meter(s)/estimated read:	\$100.00/month
6. Reconnection Fee after shutoff for delinquent bill during normal Business hours:	\$100.00
7. Reconnection Fee after shutoff for delinquent bill outside of normal Business hours:	\$150.00
8. Returned Check Charge	\$30.00
9. Water Hookup Fee for new customer	\$2,000.00

No water service shall be furnished to any customer at a rate that is different from other customers of the same class or type. Persons, firms, or corporations desiring to use water temporarily shall pay such rates as the Municipal Clerk, with the approval of the Governing Body, shall set. Without respect to the schedule of rates for other customers, the Governing Body may enter into special contracts with large customers of water, but never at a rate less than the cost of production; provided, that the contract shall always provide that the said large consumer shall always pay the minimum rate for other customers and the contract shall be made on the basis of water consumed in excess of said minimum. A meter shall always be attached to the water service of such contract consumer and read monthly as in the case of other classes of water consumers. Water service furnished to the other departments of the Municipality and to other governmental subdivisions of the State of Nebraska shall be measured and billed for at such rates as the Governing Body shall set from time to time without respect to the schedule of rates on file at the office of the Municipal Clerk, but never at rates that do not cover the cost of providing water. Whenever water service is supplied to more than one (1) customer through the same supply pipe, each customer shall pay the minimum

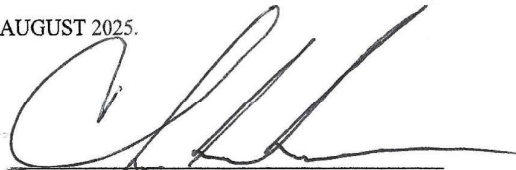
water service charge each month. In the event that two (2) or more customers are supplied through the same meter, the owner of the premise shall pay for all water consumed thereon plus separate minimums. One (1) bill only shall be computed for each meter. **Neb. Rev. Stat. § 17-540.**

**Section 2.** That from and after September 9, 2025, the Rural Water District No. 1 of Lancaster County shall collect usage rates and provide billing services for the village water system. Administer rates set for usage by the Village Board of Trustees therefor and bill and collect the same; and that the rules and regulations of Rural Water District No. 1 attached hereto as "Exhibit A" be and the same are adopted as the operating procedures for the Village water system. In addition, any current charges not paid by the delinquent date shall be assessed an additional 10% late charge on a monthly basis.

**Section 3.** All other ordinances and resolutions approved prior to the passage, approval, and publication or posting of this ordinance which conflict with these provisions are repealed.

**Section 4.** This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting in pamphlet form as required by law.

PASSED AND APPROVED THIS 11 DAY OF AUGUST 2025.



Chairman of the Board of Trustees

ATTEST:

*Kristi Denison*  
\_\_\_\_\_  
Village Clerk

## **Exhibit A**

These Rules and Regulations are issued in compliance with Neb. Rev. Stat. §46-1001 to 46-1020, By-laws of the District and are designed to govern the supply and taking of water service in a uniform manner for the benefit of the Village of Roca and its members. They are subject to change from time to time. If a provision of the Rules conflicts with a provision of the rate schedule, the provision of the rate schedule will prevail. If any portion of these Rules shall be declared invalid by competent authority, such voidance shall not affect the validity of the remaining portions.

**Definitions:** The following expressions when used herein will have the meanings stated below:

**Applicant:** Any individual, firm, partnership, corporation or other agency owning land located within or adjacent to the Village, applying for water service.

**Application for Water Service and Water User's Agreement:** The agreement or contract between the Consumer and the Village pursuant to which water service is supplied and accepted.

**Consumer:** Any individual, firm, partnership, corporation or other agency receiving water from the District's facilities and owning or occupying land located within the District in favor of which one or more Benefit Units have been subscribed and paid for.

**District:** Rural Water District No. 1, Lancaster County, Nebraska.

**Village Board:** Village of Roca Board of Trustees, Roca Nebraska 68430

**Point of Delivery:** The point of delivery shall be at the meter, unless otherwise specified by the Village Board.

**RWD Board:** The Board of Directors of Rural Water District No. 1, Lancaster County, Nebraska.

**Service:** When used in connection with the supplying of water shall mean the availability for use by the Consumers of water. Service shall be considered as available when the Village maintains the water supply at the point of delivery, regardless of whether or not the Consumer makes use of It.

**Subscriber:** The owner of a Water Benefit Unit as set forth in the By-Laws and Rules and Regulations of the District.

**Water Benefit Unit:** The term Water Benefit Unit is defined as a right entitling the holder to one water service issued to a Subscriber within the Village who has received approval for his/her Application for Water Service and User's Agreement.

**Water Service:** Facilities for supplying water to one residence, municipality or business establishment located on land within or adjacent to the Village. The landowner must purchase a Benefit Unit and accept a water service for each residence or business establishment served.

## **GENERAL RULES**

1. The supplying and taking of water will be in conformance with the Rules. Any water rate schedule is subject to change by action of the Village Board, provided that if at any time the said Board determines that the total amount derived from the collection of water charges is insufficient for the payment of operating costs, emergency repairs, debt service and to accumulate a reasonable reserve, the Village Board shall increase the water rate in an amount sufficient to pay such operating costs, emergency repairs, debt service, and to accumulate a reasonable reserve.
2. Any person owning real estate within the boundaries of the Village may make application for water service by completing an Application for Water Service and User's Agreement and depositing with the Lancaster Rural Water District the prescribed hookup fee as established by the Village Board of Trustees . If the Application for Water Service and User's Agreement is approved by the Village Board, the Applicant as a Subscriber shall receive a Water Benefit Unit and an Approval Letter.
3. The Village Board shall, as a preconditioning to approving any Application for Water Service and Water User's Agreement, require the Applicant to obtain the necessary easements between the existing water line and Applicant's property prior to approving any Application for Water Service and Water User's Agreement.
4. A water service connection is for the sole use of the Applicant or the Consumer and does not permit the extension of pipes to transfer water from one property to another nor to share, resell, or sub-meter water to any other Consumer. If any emergency or specific

situation should make such an arrangement advisable, it shall be done only on specific written permission of the Village Board for the duration of the emergency.

5. In the event the Village Board shall deny an Application for Water Service and Water User's Agreement, the Water District shall refund to the Applicant the hookup fee minus any and all out of pocket expenses incurred by the District in connection with evaluating the feasibility of approving the Application for Water Service.

**Agreements with Governmental and Public Bodies:** The Village through its Board of Trustees may make specific water service contracts with the Federal Government, the State of Nebraska or agencies thereof, school districts and municipal corporations, differing from Stipulations set out in the rate schedule and rules.

**Rights of Access:** Representatives of the Village shall have the right at all reasonable hours to enter upon a Consumer's premises to read and test meters, inspect piping, and to perform other duties for the proper enforcement of these Rules and Regulations and for the proper maintenance and operation of service, or to remove its meter and equipment upon discontinuance of service by Consumer or by the Village.

**Continuity of Service:**

1. The District will make all reasonable efforts to supply continuous, uninterrupted service for the purpose of making repairs, connections, extensions, or for other necessary work. Efforts will be made to notify Consumers who may be affected by such interruptions, but the District will not accept responsibility for losses which might occur due to such necessary interruptions.

2. The District does not accept responsibility for losses which might occur due to interruptions to service caused by storms, strikes, floods, or other causes beyond its control.

**METERS**

Meters will be furnished, installed, owned, inspected, tested and kept in proper operating condition by the Village without cost to the Consumer. A complete record of test and histories of meters will be kept. Meter tests will be made according to methods of the American Water Works Association by the Village, as often as deemed necessary by the

Village Board. No water shall be supplied to a service except through a properly Installed meter.

**Meter Accuracy:** Service Meters whose errors do not exceed 2 percent (2%) fast or slow should be considered as being within the allowable limits of accuracy for billing purposes. The percentage of error will be considered as that arrived at by taking the average of the error at full load and that at ten percent (10%) load, unless a Consumer's rate of usage is known to be practically constant, in which case the error at such constant use will be used.

**Meter Location:** The meter will be set within the residence or in a meter pit along the distribution main directly in front of the point of use along the road right-of-way. Where service is on the opposite side of the road right-of-way where the distribution main is located, the service line will be extended across the road and the meter installed on the Subscriber's property directly in front of his or her point of use; however, the Villager Board reserves the right to select a different location for the meter if the above stipulated point of delivery would not be practical or economical to the Village normally. The above will result in the meter being located just inside the fence line on the Subscriber's property. No meter shall be moved by anyone other than the Village. Any Subscriber who desires to have a meter moved must obtain Village Board approval and pay all expenses for moving the meter and the Village Board may charge an additional fee for moving the same.

**Water Bills and Charges:** All Rules and Regulations regarding the obligation of Consumers to make payment of monthly water bills shall be governed by the "Procedural Policy" as adopted by the Lancaster County Rural Water District's Board of Directors pursuant to Article VIII, Section I(C) of the By-Laws of the District, the same being incorporated herein by reference.

**Reconnection Charge:** The reconnection charge for restoration of service, if reconnection is authorized and approved under the provisions of the By-Laws of the District, after each suspension of service because of delinquent payment or for other infraction of these rules, shall be the unpaid amount charged to date against the Consumer's benefit unit, plus lawful interest as provided under Nebraska law and a sum to cover the reasonable cost of labor necessary to make such reconnection, provided, however, that the minimum charge for cost of labor necessary to make reconnection shall not be less than \$100 during regular business hours,

After business hours the reconnection fee shall not be less than \$150.

**Requested Meter Tests:** Meter tests requested by Consumers will be performed without cost to any Consumer if the meter is found to be In excess of two percent (2%) fast or slow. Otherwise, the Consumer for whom the requested test was made will be charged for the cost of making the test.

**Consumer's Responsibility:** The Consumer shall be responsible for any damage to the meter and equipment installed for his or her service, on account of any cause other than normal wear and tear. Freezing is not considered as normal wear and tear.

**Change of Occupancy:** In the event of a transfer of ownership of the property served by the Benefit Unit either by sale, abandonment, repossession, foreclosure, or similar events together with the failure to pay for water service in accordance with the By-Laws and Rules and Regulations for 40 days, the Board of Trustees shall have the right to transfer the Benefit Unit to the new owner upon payment of all back charges and the signing of a New Water User's Agreement and upon the signing of an agreement by the new user of a hold harmless agreement with the Village application fee shall be required under such circumstances.

**Main Extensions:** If the cost of the extension is greater than the average cost of the entire system to each member, the Village Board may elect to contribute to the extension in the amount of such average cost and require the applicant to deposit in cash the additional monies needed to make the extension. This deposit to be In addition to the price of a Benefit Unit. The Village Board may at its discretion, and as funds become available, return all or part of the original Consumer's deposit. However, any portion not returned within five years from the date of deposit will become the property of the Village. In no case will interest be paid on such deposits. The Village may as a condition of extending service, require that the applicant deposit in addition to the price of a Benefit Unit, an amount which may equal the entire cost of the extension and may require and collect from the applicant payment for all actual costs in excess of any estimate or deposit.

**Services:** The Village shall maintain and pay for all water service pipe and equipment needed for a meter setting from its water mains to the outlet side of the Consumer's meter setting. The size of the service line shall be established by the Village Engineer.

**Insufficient Water Supply:**

1. In the event the total water supply shall not be sufficient to meet all of the needs of the Consumers, or in the event there is a shortage of water, the Village Board has the discretion to prorate the available water supply on such a basis as it deems equitable. In the event that proration becomes necessary, domestic use will have first priority as stated in Article 19, Section 3 of the Lancaster Rural Water District By-Laws.

2. None of the water supplied by the Village shall be used for commercial irrigation.

3, Rule: The Board of Trustees shall be authorized to declare the existence of any emergency relating to the available water supply of the Village and to impose necessary restrictions on the use of water during such an emergency. An emergency shall exist when the Board of Trustees determines that the present or future use of water must be restricted in whole or in part in order to maintain or insure reasonable pressure and/or water supply for human, livestock and food purposes.

4. It shall be a violation of this rule for any member of the Village Water District to fail to observe such restrictions imposed by the Village Board of Trustees, provided that the said Board has mailed or given personal notice of the restrictions made. Notice shall be made in person or by first class mail and shall contain the following:

a. The reason for the water use restriction.

b. A statement that the Village will disconnect service without further notice if the member violates the restriction.

c. A statement of the actual cost to discontinue and renew water service, which is the cost of labor and materials in discontinuing and renewing the service, and signing an agreement promising observance of such emergency restrictions as have been made by the Board of Trustees and granting the Village the right to enter at any time and shut off service without notice in the event of any future violation within one year.

**Penalty:** The Village may immediately turn off the water supplied to the Subscriber who violates any emergency restrictions any time after notice has been either mailed or given personally by phone or otherwise.

**Cost of Benefit Unit:** The cost of a Benefit Unit shall not be less than the amount established by resolution of the Board of Directors, as adopted or modified from time to

time, payable pursuant to the “Application for Water Service and Water User's Agreement.”

**Applicants having Excessive Requirements:** In the event an applicant whose water requirements are found to exceed the District's ability to supply from existing facilities without adversely affecting service to other Consumers to an unreasonable extent, the Village will not be obligated to render such service, unless and until suitable self-liquidating financing is arranged to cover necessary investment in additional facilities.

**Cross-Connections:**

- 1, Cross-connection shall not be permitted, nor shall there be any physical connection between any private water system and the water system of the Village.
2. There shall be no physical connection between any holding tank or reservoir intended for non-potable liquid, unless such connection is protected by a backflow prevention device approved by the State Health Department.
3. Representatives of the Village shall have the right at all reasonable hours to enter upon the Consumer's premises for the purpose of inspection and enforcement of these provisions.

**Violations:** Violations of any of the provisions of the Rules and Regulations as set forth above or as may be amended from time to time by the Village Board shall constitute cause for discontinuance of a Consumer's service,