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SECTION 6-121: WATER STEALING

No person shall procure water from the waterworks for any premises while the water service thereto is disconnected for nonpayment of water rates.

SECTION 6-122: COMPLAINTS

Any consumer feeling himself/herself aggrieved by reason of any controversy with the water commissioner may appear before the Board of Trustees and present such grievance. Any consumer who considers himself/herself aggrieved by being required to pay the charge demanded for the use of water or for the resumption of water service after the same shall have been shut off shall pay such charge under protest, in which event the village utility collector shall write on the receipt given the consumer the words "Paid Under Protest." Such consumer may then present his/her verified claim in the manner provided for presenting claims to the Board of Trustees for a refund of the amount so paid under protest. Such claims shall then be considered by the Board of Trustees in the same manner as other claims against the Village.

SECTION 6-123: LEAKS

If any leak or break in any supply pipe or service pipe shall occur, the chairman and Village Board, through the water commissioner or his/her duly authorized agent, shall forthwith shut off water to said premises until said leak or break is repaired by the consumer.

SECTION 6-124: WATER WASTE

No person shall deliberately waste water. The water commissioner may make and publish such regulations as he/she deems necessary to determine what constitutes deliberate waste of water, but such regulations when made shall apply uniformly throughout the Village.

SECTION 6-125: FLUORIDES

Fluorides shall not be added to the water supply of the Village of Oakdale.

**SECTION 6-126: PROTECTION OF VILLAGE WATER; STRUCTURES OR
ACTIVITIES PROHIBITED WITHIN DEFINED DISTANCE
FROM EXISTING WELLS**

It shall be unlawful to place, maintain, construct or replace any of the following structures or conduct any of the following activities within the distance specified below from any existing municipal water well, water storage tanks or existing underground water mains:

Structure or Activity	Distance
Non-potable water well	1,000 feet
Other well	1,000 feet
Sewage lagoon	1,000 feet
Absorption or disposal field for water	500 feet
Cesspool	500 feet
Dump	500 feet
Feedlot or feedlot runoff	500 feet
Pasture or corral	500 feet
Chemical or petroleum products' storage facility	500 feet
Pit toilet	500 feet
Sanitary landfill	500 feet
Septic tank	500 feet
Sewage treatment plan	500 feet
Sewage wet well	500 feet
Potable water well	100 feet
Sewer connection	100 feet
Sewer manhole	100 feet
Sewer line	50 feet

It shall be unlawful for any irrigation well, industrial well or well of any other public water supplier to be drilled within 1,000 feet of any municipal well.

SECTION 6-127: UNLAWFUL CONNECTION

Water will not be turned on in any house or private service pipe except upon the order of the water commissioner or his/her duly authorized agent. Plumbers are strictly prohibited from turning on the water to any service pipe except on the order or permission of the water commissioner or his/her duly authorized agent. This rule shall not be construed to prevent any plumber from admitting water to test pipes, and for that purpose only. No person except the water commissioner or his/her agent shall by any device turn on water for use on any premises after the same shall have been shut off for non-payment of bills or any other cause.

SECTION 6-128: RESTRICTIONS DURING FIRE

All persons using water shall keep their fixtures closed during any fire and shall be responsible for any damage or injury that may result to others from improper use of said water.

SECTION 6-129: WATER SERVICE BEYOND CORPORATE LIMITS; RATES

The Village, by resolution of the chairman and Board of Trustees, shall have the authority to contract with any person, corporation or association to sell water service

ORDINANCE NO. 91-1

AN ORDINANCE ESTABLISHING NEW SECTIONS TO THE VILLAGE CODE OF THE VILLAGE OF OAKDALE, NEBRASKA, TO PROVIDE FURTHER DEFINITIONS OF NUISANCES TO INCLUDE THE POLLUTION OF PUBLIC WATER SUPPLY AND INTERFERENCES WITH PUBLIC WELLS; TO PROVIDE FOR FINES AND PENALTIES THEREFOR; REPEALING ALL OTHER ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE VILLAGE OF OAKDALE AND THAT THE SECTIONS MAY BE RENUMBERED; TO DECLARE THAT AN EMERGENCY EXISTS AND TO DESIGNATE THIS ORDINANCE AS AN URGENT MEASURE; AND TO PROVIDE FOR PUBLICATION AND THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE AND FINAL PUBLICATION.

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

SECTION 1. That in order to prevent pollution being caused to the public water supply of the Village of Oakdale, Nebraska, the following acts or events within the specified footage of any municipal public water supply well shall be defined as nuisances for the purpose of this ordinance:

- non-potable water well (1,000 feet)
- other well (1,000 feet)
- sewage lagoon (1,000 feet)
- absorption or disposal field for water (500 feet)
- cesspool (500 feet)
- dump (500 feet)
- feedlot or feedlot runoff (500 feet)
- pasture or corral (500 feet)
- chemical or petroleum products' storage facilities (500 feet)
- pit toilet (500 feet)
- sanitary landfill (500 feet)
- septic tank (500 feet)
- sewage treatment plant (500 feet)
- sewage wet well (500 feet)
- potable water well (100 feet)
- sewer connection (100 feet)
- sewer manhole (100 feet)
- sewer line (50 feet)

SECTION 2. It shall be unlawful to allow for any irrigation or industrial well or well of any other public water supplier to be drilled within 1,000 feet of any municipal well of this Village except as allowed under special permit issued by the Director of Water Resources of the State of Nebraska.

SECTION 3. Any violation of Sections 1 and/or 2 of this ordinance shall subject the violator to the fine and penalty set forth herein as well as the abatement procedures set forth herein.

SECTION 4. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 5. It is the intention of the Village Board of the Village of Oakdale and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the code of the Village of Oakdale, Nebraska, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 6. The Village Board hereby finds, determines and declares that an emergency exists and it is necessary for the immediate preservation of the public peace, health, safety and public interest and welfare of the Village of Oakdale, Nebraska, and the inhabitants thereof that the provisions of this ordinance should take effect immediately upon first publication and upon proclamation by the Chairman and Village Board; that this ordinance is hereby declared and designated to be an urgent measure and is hereby exempted from the referendum provisions of Articles 25, Chapter 18, of the Nebraska Revised Statutes.

SECTION 7. Any violator of Sections 1 and/or 2 of this ordinance is hereby deemed to be guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than \$100.00 and assessed the Court costs of prosecution.

SECTION 8. Whenever a nuisance exists as defined in Sections 1 and 2, the Village of Oakdale may proceed by a suit in equity to adjoin and abate the same in the manner provided by law.

SECTION 9. This ordinance shall be in full force and effect immediately from and after its passage, approval and first publication according to law and upon proclamation by the Chairman and Village Board and the Village Clerk is hereby authorized and directed to so proclaim.

SECTION 10. If any section in this ordinance or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

APPROVED AND PASSED BY THE VILLAGE BOARD OF THE VILLAGE OF OAKDALE, NEBRASKA, THIS 3rd DAY OF June, 1991.

Paul Lybe
Chairman

ATTEST:

Shirley Ofe
Village Clerk