

ORDINANCE NO. 1184

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 2, WATER, OF THE CODE OF THE CITY OF CAWKER CITY, KANSAS, PROHIBITING WATER METER TAMPERING; ESTABLISHING AND DEFINING PRESUMPTIVE VIOLATIONS; AND PROVIDING PENALTIES FOR VIOLATIONS.

Be it Ordained by the Governing Body of the City of Cawker City:

Section 1. Chapter 15, Utilities, Article 2, Water, Section 15-213 of the Code of the City of Cawker City, Kansas hereby is amended to read as follows:

15-213. METER TAMPERING UNLAWFUL.

- (a) It shall be unlawful for any person to break the seal of any water meter, to alter the register or mechanism of any water meter, or to make any outlet or connection in any manner so that water supplied by the City of Cawker City may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee or agent of the City of Cawker City to turn any curb cock on or off.
- (b) **Presumption of Violation.** There is a rebuttable presumption that there is a violation of this ordinance if, on premises controlled by the customer or by the person using or receiving the direct benefit of water utility service, there is either, or both, of the following:
 - (1) Any instrument, apparatus or device primarily designed to be used to obtain water utility service without paying the full lawful charge therefor.
 - (2) Any meter that has been altered, tampered with, or bypassed so as to cause no measurement or inaccurate measurement of water utility services.
- (c) **Penalties.** Violation of this ordinance shall be punishable by a fine not to exceed \$1,000, and any violators shall be required to pay restitution to the City of Cawker City for any necessary water meter repair or replacement.

Section 2. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Council the 8th day of March 2023.


Drew Duskie, Mayor

ATTEST: 
Denelle Mick, City Clerk

