

Ordinance No. 32.

An Ordinance to Regulate the Use of Water from the Waterworks of the City of Washburn and to Establish Rates Pertaining to the Same-

Be it ordained by the City Council of the city of Washburn, N. D.

Sec. 1. Water Works System.

The system of water works together with the pumping plant, house and machinery, settling basins, tower reservoir, water mains, hydrants, connections as now constructed and erected or hereafter constructed or erected, shall constitute the system of water works of the city of Washburn, subject to such change and additions as the city council shall from time to time see fit to make.

Sec. 2. Water Works Superintendent.

It shall be the duty of the superintendent of water works to exercise general control and management of all pumping and other machinery, at the pump house or otherwise belonging to said city, and the water main hydrants and connections of said system, to supervise and manage the repairs and all changes and improvements in or about the same whenever such repairs are ordered by the city council. The said superintendent of water works shall be appointed by the mayor and confirmed by the council and shall hold office during the term of the mayor and until his successor is appointed and qualified unless sooner removed by the mayor, and shall receive such salary as shall be prescribed by the council, and shall at all times, and in all things, be subject to the supervision and direction of the city council.

Before entering upon his duties the superintendent of water works shall execute a bond to the city in such sum as the council may prescribe.

It shall be the duty of the superintendent of water works and the chief of the fire department and all officers of the city of Washburn having police power, to enforce all rules, regulations, and parts of this ordinance by making prompt complaint before the police magistrate against any and all persons violating said rules, or any of them, or any provisions of this ordinance.

Sec. 3. Duties of the City Auditor Relative to the Water Works System.

It shall be the duty of the city auditor to perform the following acts as here set forth, or as may be set forth in other parts of this ordinance.

To issue permits, to tap mains, or make connections with the same, or service pipes, or extensions, or to make such extensions, and to keep a record of all permits issued.

To keep a record of any and all applications for water services issued, discontinue the same upon notice or failure to pay rent as hereinafter provided.

To notify the superintendent of water works of the filing of all applications for water services, permits issued for tapping mains, making connections, or extensions and when application has been duly made and when all requirements of this ordinance complied with order the superintendent to turn on the water under such application.

To collect all rent for water, receive the money therefor, and keep a correct account of all money due the city from patrons of the water works system and of all money received, make a quarterly account of the same and pay the money so received over to the city treasurer and take his receipt therefor.

To furnish the superintendent of water works a list showing the name of each and every person receiving a supply of water from said system and a description of the premises supplied, who have not paid the required rent for the same within five days after demand is made, and order the superintendent to shut off the said supply of water from the described premises.

Sec. 4. Permits For Tapping Water Service, Etc.

No person except under supervision of the superintendent of the water works or his assistant or employee shall tap or make any perforation or opening of any kind in any sewer, water main or any public or private service pipe within any boundaries of any public street, avenue, alley or public ground, or any other pipe wherever the same may be from which water from the city water works may be drawn.

Before any person shall be desirous of obtaining water from the said system shall proceed to lay any service or other water pipe, such person shall apply to the City Auditor for a permit to tap the main or other pipe, which permit shall

state the exact location at which the main or other pipe is to be tapped. This permit shall then be presented to the superintendent of water works, who shall then permit the tapping of the said water main or other pipe and insertion of the corporation cock and goose neck.

This permit shall be taken up by the superintendent of the water works before tapping the water main or other pipe, and after the tapping is completed and the corporation cock and goose neck inserted, the superintendent of the water works shall make out a return thereon showing what work was done, the size of the tap made and a full report of the work done thereunder, which permit shall then be returned by him to the City Auditor and filed in his office.

Sec. 5. Plumbers Permit.

Before a plumber shall lay, relay or repair any branch service water pipe, or make any extensions thereof or any connections thereon for the purpose of taking water from the water works system of said city, he shall first obtain a permit to do so from the City Auditor, which permit shall state the position and amount of pipe to be placed for said purpose, the size of the pipe and the tap thereof.

Sec. 6. Permits, Return Of, Where, When.

Each permit with a complete report thereon of the work done, shall be signed by the plumber to whom it was issued, and returned to the City Auditor within twenty four hours after the completion of the water service.

The plumber's return shall also contain a correct measurement of the distance north and south, east or west of the particular service pipe from the nearest corner, the measurement to be made on the face or front of the houses on the street. Upon the return of such permit, giving a complete report of the work done, and signed by the plumber, the City Auditor shall give the plumber a receipt therefor bearing the same number as the permit; provided the work is found to be in strict conformity with the the ordinance and for the issuance of such permit and the receipt thereof, the person applying for same shall pay to the city Auditor, before the permit shall be issued, the sum of \$1.00, half of which shall go to the city Auditor and the remainder shall go to the city Treasurer.

Sec. 7. Application For Permits.

All applications for permits to lay, relay, repair or extend any branch service water pipe connected with the water works system, must be signed by the plumber employed to do the work. They must be accompanied by an accurate description of the premises and of the water service or addition, changes, connections or extensions desired. Such application ^{and description} must be left on file with the City Auditor.

The permit shall describe the location at which the laying, relaying, repairing or making of connections shall be done, which location must not be departed from by such plumber or any other person in any degree except upon the written consent endorsed upon the permit by the City Auditor.

Sec. 8. Notice For Inspection.

Three hours notice shall be given the City Auditor at the completion of any work relating to the laying, relaying, repairing, extension or connections of any service pipes, before the work shall be covered or hidden from view, for the purpose of inspection by the superintendent of water works, for which services he shall receive \$2.00, hereinafter mentioned as a part of the amount to be paid at the time the permit is issued.

Sec. 9. Permits When Not Granted.

No permit shall be granted to any person to lay, relay, repair, or extend any branch water service pipe, or to connect the same with the water works system of the City or any property which is not within the assessed district or has not been assessed for said water works system, except where systems have been paid for without special assessments against the property benefited.

Sec. 10.

No connections for house or domestic purposes shall be larger than five-eighths of an inch or for any other purposes larger than three-fourths of an inch.

All service pipes, stop cocks, corporation cocks, meters, and other fixtures and including the shut-off box must be laid, attached and kept in repair and kept from frost at the expense of the applicant or consumer, but said service pipe and fixtures will and shall remain under the control of the city. Said applicant waiving and releasing all claim thereto of control except the duty of keeping the same in repair and protecting the same as herein provided.

Applicants must pay the expense of taking water from the mains from the center

of the streets. Applicants on the near side are required to pay \$25.00 and applicants on far side to pay \$15.00 and to pay this amount at the time permit is issued.

In case the same are allowed to get out of repairs, or are damaged by frost or otherwise and the person taking water therefrom fails, neglects or refuses to repair the same after six hours notice, then in that event the city shall have the right either to shut off the same or to repair the same in its discretion and to tax the cost of such repairs to the water rental of said consumer, and if not paid upon demand, to assess the balance or whole thereof or deficit against the property which the said service pipe and fixtures supply.

Sec. 11. Turning On Of Water.

After the work of tapping the mains, laying of service pipes, connecting with or extending the same has been finished, approved and tested and the return of the superintendent of water works, also that of the plumber who performed the work are approved, the City Auditor shall notify the superintendent of water works to forthwith turn on the water.

Sec. 12. Payment Of Water Rental.

All meter readings shall be taken on the last day of January, April, July and October by the superintendent of water works and by him reported to the City Auditor, who shall render bills for the amount due on the first of the month following the reading, and such bill must be paid on or before the fifth day of the month next succeeding that on which the bill is rendered, and if the same is not paid within the time named the supply of water shall be shut off by the said superintendent and the same shall not be turned on again until all water rents due are paid and an additional sum of \$1.00 for the turning on of the same when paid.

Sec. 13. Discontinuance Of Use Of Water.

Any person desiring to discontinue the use of the water must give written notice thereof to the City Auditor, but such notice must be given 3 days previous to the time when service is to be discontinued, otherwise the party shall be liable for the reading of the meter, and in every case where the water had been shut off in pursuance of such notice or for failure to pay the water rent at or before the time it becomes due, the water shall not be turned on again until the person desiring such water shall have paid the City Auditor the sum of \$1.00, and all rent due the City for the said water.

Sec. 14. City May Require Meters.

Every business place in the city and all other places shall be provided with a water meter for the measurement of the water consumed at such place, and shall pay the meter rates herein provided.

Said meters shall be supplied by the city at cost, and shall be installed by the Superintendent of water works, and the cost of the meter and of installing the same shall be paid by the occupant or the owners of the premises wherein installed at time permit is issued.

Sec. 15.

Any person violating any or either of the provisions of this ordinance shall forfeit all payment made in behalf of said water supply and the supply of water shall be at once stopped and shut off without notice.

Sec. 16.

Any person, firm, or corporation who shall violate any or either of the provisions of this ordinance or who shall refuse or neglect to comply with either or any of them shall upon conviction be punished by a fine of not less than \$1.00 and not more than \$10.00 for each and every such violation, refusal or neglect.

Sec. 17. Rules And Regulations For The Use Of Water From The Water Works.

That the rules and regulations of the City water works of said city be, and the same are hereby established as follows:

Rule 1. Every owner, tenant or occupant of any premises upon which there is a service pipe, and every person taking water from the city, shall at all reasonable hours and times permit the superintendent of water works or any officer or agent of the City to enter his premises or buildings to examine the water pipe or fixtures therein, and the manner in which the water is used, and turn off the water either inside or outside the buildings, whenever for any cause or purpose he may desire to do so. If in the opinion of the City Council, the water is turned off for insufficient reasons, upon application to the council it may be ordered turned on again.

Rule 2. In case of the making of repairs or constructing new work, the City reserves the right to shut off the water at once and keep the same shut off as long as may be necessary to accomplish such purpose.

Rule 3. It is expressly provided that the City of Washburn shall in no event be or become liable to any consumer of water for a deficiency in the supply of water of the quality thereof, whether by shutting off the same to make repairs or to construct new work or for any other cause whatsoever.

Rule 4. It is expressly provided that the City reserves the right to change the rates for the use of water from time to time as it may deem best, and at all times make such other rules and regulations and restrictions, etc., as in the judgment of the council may seem necessary.

Rule 5. No person shall turn or cause to be turned on the supply of water to any premises from which the supply of said water has been shut off for any cause by the City, without first making the application for and obtaining the permit prescribed in the ordinance. Any person violating the provision of this section or rule shall upon conviction thereof be punished by a fine of not less than \$5.00 nor more than nineteen dollars for each offence, or by imprisonment in the City Jail for a period of not less than one day nor exceeding ten days, or by both such fine and imprisonment.

Rule 6. No allowance for water rental shall be made by reason of removal from the premises, disuse or diminished use of water or vacancy of premises, unless notice be given at the time of such removal or disuse to the City Auditor accompanied by the payment to him of the sum of one dollar for turning off the water.

Rule 7. No person shall draw water from the city water mains during a fire except for the extinguishing of the fire.

Rule 8. Wherever the superintendent of water works or the City Auditor shall have caused the water to be turned off from any service pipe he may whenever he suspects any probability of tampering with the pipes, cause the same to be severed from the main.

Sec. 18. Plumbers Rules Of Connections.

The following rules and regulations shall constitute and be known as the plumbers' rules governing the constructions and repairs of the water works system of the City of Washburn.

Rule 1. Before performing any work the plumber must have a permit from the City Auditor and within twenty-four hours after completing the work, must return the permit to the same officer with a report of the work in exact accordance with the facts.

Rule 2. Either lead or galvanized iron service pipe may be used at the option of the applicant, subject, however, to any City ordinance regulating the same and where lead is used in the street or for inside plumbing, it must be that designated as "extra strong" and all iron pipe to sustain a pressure of not less than 250 pounds per square inch and at a point of connection of the street main, between the corporation cock and the coupling in the iron service pipe, there must be at least eighteen inches of lead pipe to relieve the rigidity of the iron service pipe. A brass coupling or ferrule must be used for connecting the lead to the iron pipe. No lead connections to corporation cocks will be allowed less than one-eighth of an inch larger than the cock, the weight of lead pipe must not be less than the table given according to the different sizes of the pipe.

- 1/4 inch pipe, 2 1/2 pounds per lineal foot.
- 5/8 inch pipe, 3 pounds per lineal foot.
- 3/4 inch pipe, 3 1/2 pounds per lineal foot.
- 1 inch pipe, 4 1/2 pounds per lineal foot.

Pipe must be extra strong and wiped with heavy joints into brass connections. In no case shall lead be soldered into iron pipe. All taps shall be placed in the top of the main and the length of the lead pipe between the corporation cock and the union with the iron service pipe shall not be less than the length given in the following table to-wit: For

- 1/2 inch pipe 18 inches.
- 5/8 inch pipe, 2 feet.
- 3/4 inch pipe, 2 1/2 feet.
- 1 inch pipe, 3 feet.

In all cases this pipe must be bent in "S" or other approved shape to allow for movement in the iron pipe.

Rule 3. All service pipes and mains must be laid at least 7 feet below the surface of the ground or street grade, such measurements being from the surface to the underside of the said pipe and kept in good repair at the expense of the owner. A suitable brass stop cock (Minneapolis Pattern Socket Head) with round water-way must be placed in the service pipe, to allow the City to control the flow of water through said pipe, located under the curbstone and as near thereto as practicable, with a Minneapolis stop box to be approved by the superintendent of water works, and left securely protected the cap or top of said stop box shall in all cases be on the level with the curb or sidewalk. Should it become necessary to dig out the stop box for the purpose of turning the water on or off, the water taker will be required to stand the expense of the same.

Rule 4. There shall likewise be placed in the service pipe immediately, within the wall of the building supplied, wherever practicable, a brass stop and waste cock with a level handle easily accessible to the occupant for the protection of the said occupant in enabling him to turn off the water in case of leaks and to drain the pipes, also to prevent freezing, which shall be fully explained by the plumber who is doing the work.

Rule 5. All materials furnished by the City to plumbers must be paid for in cash.

Sec. 19. Water Rates.

Meter rates per 1000 gallons 30c. Minimum rate per month 50c.

Sec. 20.

Any person violating the provisions of this ordinance unless the penalty thereof is herein otherwise provided, shall upon conviction thereof be subject to a fine of not less than \$5 nor more than \$100.00 or by imprisonment in the City Jail not to exceed thirty days.

This ordinance shall be in force and effect from and after its passage, approval and publication.

- Passed first reading May 8, 1911.
- Passed second reading June 5, 1911.
- Approved July 3, 1911.

H. S. Westmiller,
City Auditor.
(Seal)

Theo. J. Haugeberg,
Mayor.

State of North Dakota,)
County of Mc Lean,) ss.
City of Washburn)

I, R. W. Brownson City Auditor within and for the City of Washburn, North Dakota, do hereby certify that the above ordinance known as ordinance Number 32 is a true and correct copy of said ordinance number 32 as published in the Washburn Leader in the regular issue of July 14th 1911 Affidavit of publication being on file in the office of the City Auditor. In witness whereof I have hereunto set my hand and the seal of said City of Washburn this 24th day of April 1917.

R. W. Brownson