

ORDINANCE No. 31

An Ordinance Establishing and Regulating Water Rates and the Use of Water.

Be It Ordained by the Common Council of the City of Redmond, Oregon.

SECTION 1.

Rules and Regulations Binding on All Who Use the City Water System.

The rules and regulations, and water rates, hereinafter named, or that may hereafter be adopted by the common council, shall be considered a part of the contract between the city and every person, firm or corporation, who are supplied with water through the water system of the city, and every such person, firm or corporation, by taking water shall be considered to have expressed his assent to be bound thereby; and whenever any of them is violated, the water shall be cut off from the building or place of such violation, and it shall not be turned on again except by order of the water commissioner, and the payment of the sum of two dollars for shutting off and turning on the water as herein provided and compliance with such other terms and conditions as the council may prescribe. In case of such violation the city recorder shall declare any payment made for the use of the water by the person so violating forfeited, and no money thus paid shall be refunded.

SECTION 2.

Application for Water Connections, How Made.

All applications for the introduction of water into any premises, or for the extension of any water pipe, shall be made by the owner, or tenant with the written consent of the owner, upon printed blanks for that purpose, to be had of the city recorder. The application must state fully and truly all the purposes for which the water is required, and the number and size of the taps; and in the application for lawn sprinkling, or irrigation, the applicant must state distinctly the size and measurement of the lawn to be sprinkled, and the size and measurement of the premises to be irrigated, and whether for hose held in the hand or a portable fountain; should additional use at any time be desired, the person requiring the same must make a new application before such additional use shall be allowed. The applicant must subscribe to and agree to be bound by such rules governing the use of water as may be then in force or may be made from time to time by the common council. Upon receipt by the city recorder of the amount of water rent due for the current term, according to the statement of the use and purposes for which the water will be used, as set forth in said application, he will then issue a permit directing the water commissioner, upon receipt of said permit with all blanks and specifications filled in by the plumber as hereinafter provided, to tap the mains and authorize any duly licensed plumber to make the desired connections therewith.

SECTION 3.

Special Permit Required for More Than One Connection, by More Than One Service Pipe; Also for Extensions.

A special permit must be issued for each service connection, and each building, residence, business place, etc., also for each branch connection, when more than one connection is made by one service pipe. A special permit must also be issued for making any extensions or alterations to the plumbing of any house, store or building, beyond that for which permission may have already been granted.

SECTION 4.

Who Liable When Two or More Distinct Premises are Supplied.

Where service pipes are intended to supply two or more distinct premises or tenements, and when only one service cock is used, the application must be made by the person or persons controlling the same, and who must pay the water rent of all persons who are thus supplied, as separate water bills will not be made.

SECTION 5.

Water Rents Chargeable to Whom; When and to Whom Payable; Discount.

All water rents are chargeable to and must be assumed by the owner of the premises but the same may be paid by the tenant, and are due and payable quarterly in advance on the first day of January, April, July and October, in each year, to the city recorder or other person authorized to receive them, who shall keep a record of the same and pay the same to the city treasurer, taking his receipt therefor. All bills must be paid promptly when due, and if not paid within ten days after the same become due, a ten per cent penalty will be added, and if not paid within five days thereafter, the water will be turned off immediately, and all officers of the water department are positively prohibited from allowing credit to any one and from discounting any bills, except as herein provided. A discount of five per cent

shall be allowed for the payment of the water rent for a period of not less than six months in advance, except in case meters are used.

SECTION 6.

No Deduction for Supply From Other Sources; Meters May Be Used.

No discount shall be allowed for the partial use of water from any other source or supply than the city water system. Parties desiring to make but partial use of the city water shall provide themselves, at their own expense, with an approved meter and thereafter pay for the water at meter rates. The right on behalf of the city is reserved to attach a meter to any service pipe, whenever the council shall deem it expedient, and thereafter charge for the quantity of water measured, instead of flat or special rates.

SECTION 7.

Transfer of Contract of Water Leases.

Contracts or leases may be transferred by parties desiring to sell or vacate premises, to other parties about to buy or occupy the same, but the city will not refund for any unexpired water leases under any circumstances.

SECTION 8.

No Liability on Part of City for Breakage or Interruptions.

No claim shall be made against the city by reason of the breaking of any main pipe, service pipe or cock, or any other interruption of the supply, or by reason of the breakage of machinery, or stoppage for necessary repairs, and no deduction shall be made for any time that the mains or service pipes may be frozen.

SECTION 9.

Payment of Water Rents a Condition Precedent to Continued Use.

The water will not be turned on to any premises, except where meters are used, until the applicant shall have paid the rent due for the current quarter, and shall exhibit his receipt therefor. Plumbers are strictly prohibited from turning water into any service pipe, except upon the order or permission of the water commissioner, or other duly authorized person. They will, however, be allowed to turn the water on for the purpose of testing the pipes and for that purpose only.

SECTION 10.

Non-Patrons Not to Be Supplied; Penalty.

No occupant or owner of any premises, to which water is supplied, will be allowed to supply water to other persons or families, except upon the written consent or order of the water commissioner, which written consent shall specify the persons or families to be supplied and for what purpose. Any consumer violating this rule will be charged double the usual rates for each person or family so supplied, and if such extra charge is not paid on demand, the water shall be cut off from his premises.

SECTION 11.

Water Supply for Irregular or Extraordinary Purposes; Rates; Penalty.

Parties desiring water for cisterns, tanks, or other intermittent supply, will be charged regular rates as per schedule or they may be furnished water at schedule rate through a meter furnished by the city at their expense. Persons intending to repair or build any building for which city water is to be used, shall make written application therefor, giving a certified statement of the architect or builder, of the number of brick, perches of stone, yards of plaster, to be laid, and other uses for which the water will be required, and pay the schedule rates therefor. The city recorder shall thereupon grant a permit to use the water for said purposes to the extent of the work shown in said statement. Any abuse of this privilege or neglect to guard against the use of the water other than that stated in the permit, will subject the owner to having the water turned off, unless payment be promptly made for all water used in excess of that already paid for, and it shall not be turned on again until satisfactory assurance is given that like abuses shall not occur again and a payment to the recorder of a forfeit of two dollars, which shall go to the credit of the water fund.

SECTION 12.

Tapping Mains for Connections and Expense to Applicant.

The entire expense of tapping the mains, making connections, putting in the service pipe, with all its accompaniment and equipments for use, including the placing and establishment of the city cut off, shall be borne by the applicant, and the same shall be maintained by and at the expense of the owner or owners of the premises where the same is used. The city hereby reserves the right to designate and establish the price at which such work shall be done, and the materials used therein, and the person or persons who shall have the right to do the same, and no person shall have the right to tap any main or make any connection ex-

cept the person so designated.

SECTION 13.

Water Commissioner, Marshal, or Other Duly Authorized Person, Free to Enter Premises to Inspect Water Wasted; Penalty.

The water commissioner, marshal, or such other person as may be directed by the city council, are hereby authorized to enter and have free access to all premises where city water is used, at all reasonable hours, to ascertain the location or condition of all hydrant pipes or other fixtures attached to said works, and in case he finds that water is wasted on account of negligence or for want of repairs, he shall give notice thereof, and if such waste is not remedied within twenty four hours thereafter the water shall be cut off, and shall not be turned on again until the sum of two dollars has been paid to the city recorder, for the benefit of the water fund.

SECTION 14.

Connections to Be Made From Streets; Repairs.

Along streets where mains are laid service pipes will not be allowed to run across lots, that is, from one lot to another, but must be taken from the mains in front of the premises, or some point in the street adjacent thereto. Persons taking water must keep their service pipes and all fixtures connected therewith in good repair, and protected from frost, at their own expense, and must prevent all wastage of water. Hydrants, taps, hose, water closets, baths, or other fixtures, will not be permitted to be kept running when not in actual use. The water will not be turned onto any premises having wasteful or improper fittings.

SECTION 15.

Use of Hose and Fountains Regulated.

No hose shall be used in any case unless a permit therefor has been properly applied for and allowed by the recorder. Hose larger than three fourths of an inch will not be allowed except upon an additional charge therefor, and using hose with out a nozzle, or with a larger opening than one fourth of an inch, is forbidden. Leaky hose attachments, suffering the water to run at waste when not in use or using the same for purposes not included in the permit are all strictly prohibited. Adjusting hose upon a temporary or fixed supports, or devices, of any kind arranged to sprinkle automatically for the purpose of cooling walls, the atmosphere, lawns, gardens, etc., will be regarded as fountains and will be subject to the rates for such. In sprinkling streets, each water taker must confine himself to the exact frontage paid for, and to one half of the street in front thereof. The service pipe of all fountains out of doors must be provided with stop cocks under control of the city. The right is reserved to suspend the right to the use of the water for fountains, sprinkling streets, sprinkling or irrigating lawns or gardens, whenever in the opinion of the council the public exigency may require it. During a fire or an alarm of fire the use of hose is positively prohibited for any purpose whatever, except for extinguishing fires. And any person using the water for the purpose of sprinkling or irrigating lawns or gardens shall, upon an alarm of fire being given, immediately shut off the same and not turn the same on again until said fire is fully extinguished.

SECTION 16.

Use of Private Fire Hydrants Regulated.

If the proprietors of manufacturing lumber yards, halls, stores, hotels or public buildings, being regular customers of water from the city, wish to lay a large pipe with hydrant and hose couplings to be used only in case of fire, they will be permitted to connect with the street mains at their own expense upon application to the recorder, and under the direction and with the approval of the water commissioner, and will be allowed the use of water for fire purposes only free of charge, but all such pipes must be provided with a suitable valve, which must be sealed by the water commissioner and a stop and waste cock attached at the bottom or inside of the building. In case the seal is broken for the extinguishment of fire, the party shall immediately give notice to the recorder who shall immediately cause the said seal to be renewed, and in case the said seal shall have been broken for any other use, the party so offending shall be fined in the sum of twenty five dollars. No stand pipe will be allowed on premises where water is not taken for other than fire purposes.

SECTION 17.

Licensing Plumbers, Petition; Voucher; Bond.

Plumbers shall pay an annual license fee of twenty five dollars. Every plumber before receiving a license shall file in the office of the city recorder, a petition in writing, giving his name, and in the case of a firm, that of each member thereof, and place of business, asking to become a licensed plumber of the

city of Redmond, stating his willingness to be governed in all respects by the rules and regulations of the water works and sewerage departments, now or hereafter to be adopted, concerning his business. Said petition shall be signed by two responsible citizens of the city, vouching for the business capacity, competency and good reputation of the applicant, and for his worthiness to receive a license. Before receiving a license, the applicant shall file in the office of the city recorder, a bond with two or more sureties to be approved by the city council, in the sum of two thousand dollars, conditioned that he will indemnify and keep harmless the city from all liability for any accidents and damage arising from any negligence or unskillfulness in doing or protecting his work, or from any unfaithful or inadequate work done in pursuance of his license; and that he will restore the street, sidewalk and pavement over any pipe he may lay, and fill all excavations to be made by him, so as to leave the street, sidewalk and pavement in as good a state and condition as he found them, and to keep and maintain the same in good order, and to the satisfaction of the city council, for a period of three months thereafter; and that he will pay all fines that may be imposed upon him for violations of the conditions of his license or of the rules and regulations adopted by the council and in force during his license.

SECTION 18.

Only Duly Licensed Plumbers to do Business in Connection With Water Works.

No plumber except one duly licensed under the terms and conditions of this ordinance, or such other ordinances as may be duly passed by the council, shall do any business in connection with the water works system, and his bond shall be held as security against any damage arising out of any work done by him in connection with water plumbing. And also in respect to the use and care of any street where excavations are to be made for any purpose connected with the said system.

SECTION 19.

Violation of Rules by Plumber, Penalty.

Any plumber or pipe fitter who shall be guilty of the violation of any of the established rules and regulations shall forfeit his license, and may be subject to a fine, upon conviction, of not less than ten dollars and not more than fifty dollars. Poor or defective work shall also be cause for a forfeiture of the license of any plumber, and the forfeiture of the license of any plumber shall operate as the suspension of the license held by any co-partner in the same business, or any person in his employ.

SECTION 20.

Plumber's Duty in Respect to Application for Water.

When the plumber or pipe fitter is prepared to make connections with the water mains, and desires the mains tapped, he shall present to the water commissioner the permit he shall have received from the applicant, and on which he, the plumber, shall have made a true and itemized report of the number of rooms, water closets, bath tubs, hydrants, sinks, lavatories, and other fixtures used on the premises, and all the contemplated uses of water thereon, and the area of the lawn or garden, or surface, to be sprinkled or irrigated; upon the receipt of which permit, duly and thoroughly filled out as above stated, the water commissioner will tap, or cause to be tapped, the mains, and authorize the plumber to make the connection desired.

SECTION 21.

Plumbers to do no Work Without Permit. Water Commissioner or Other Official Only Shall Turn on Water.

No addition to or alteration whatever of any tap, pipe, water cock, or other fixtures, in any premises shall be made by any plumber, except where the owner shall first have obtained a permit therefor. No plumber shall turn on the water for any premises except for the purpose of testing the pipes and for that purpose only. Water shall not be turned into any building or private service pipe except on the order of the water commissioner, or other duly authorized officer, nor until the applicant shall have paid the rent due for the current term.

SECTION 22.

Rules for Plumbing.

No service connection or other attachment to any of the water mains shall be made except by brass ferule or lead pipes, and when galvanized iron pipe is used the attachment must be made by heavy brass nipples, and at the point of connection with the street main, between the corporation cock and the coupling in the iron service pipe, there must be at least twenty four inches of lead pipe to relieve the rigidity of the iron pipe. A brass coupling must be used for connecting the lead pipe with the iron pipe, and in no

case must lead be soldered to iron. Every service pipe must be laid sufficiently waving and in such a manner as to prevent rupture by settlement. In no case will lead or galvanized iron pipe be allowed in the service pipe or from the city main to waste cock inside the building, weighing less per foot than as follows:

- Lead pipe, 3/4 inch, extra strong, 2 lbs.
- Lead pipe, 1/2 inch, extra strong, 2 lbs. 8 oz.
- Lead pipe, 3/8 inch, extra strong, 3 lbs.
- Lead pipe, 1/4 inch, extra strong, 3 lbs. 8 oz.
- Lead pipe, 1 inch, extra strong, 4 lbs. 12 oz.
- Lead pipe, 1 1/2 inch, extra strong, 7 lbs. 9 oz.

Galvanized iron pipe larger than 1 1/4 inch must be lap welded, and smaller than 1 1/4 inch shall be butt welded and all must be galvanized both inside and outside by the best known process and of quality known as extra strong. No pipe other than the above will be allowed, excepting that interior plumbing may be made of galvanized iron pipe known as standard. Each service pipe shall have a stop or service cock placed just inside the curb line or inside the outer edge of the sidewalk, and be protected with an iron box with cover. Both the stop cock and its protecting box shall be of the pattern on exhibition at the recorder's office which is the city standard. Where one service pipe is intended to supply two or more consumers, there must be a separate service cock for each. All service pipe must be laid at least eighteen inches below grade. A four and six inch main shall receive no larger than a three-fourths inch tap. No tap larger than one inch shall be inserted in any main; where larger connections are desired, two or more taps shall be used. All taps in mains shall be at least eighteen inches apart, and, where possible, on the opposite sides of the mains. No main shall be tapped nearer than one foot to the joint. The brass ferule or nipple tapped into the main shall be one eighth of an inch smaller than the service pipe therefrom. There shall be a stop and waste cock attached to every supply pipe at the point where it enters the building, inside the same so as to admit of the water being shut off and the pipes emptied. Also a separate stop cock shall be provided behind each water closet and urinal.

Care of Street in Making Connections.

In putting down or repairing service pipes the streets or alleys must be opened in such a manner as will occasion the least inconvenience to the public, and admit of the uninterrupted passage of water along the gutter of the street. The work shall be subject to the city ordinances, and every precaution must be taken to insure the public safety. The street, sidewalk and pavement, immediately upon the completion of the work, must be restored to as good condition as it was previous to making the excavation. Should any excavation in street or alley be left open or unfinished for a period of twenty four hours or should the work be improperly done, the water commissioner shall have the right to finish and correct the work and the expense thus incurred shall be charged to the plumber whose work is thus finished or corrected and shall be paid by such plumber before receiving another permit. All excavations in the streets, alleys, or public grounds shall be made by, or under the direction of, a licensed plumber, using barricades, and warning lights at night time so as to prevent accident; and the plumber will be held responsible for carrying out all the rules and regulations and ordinances in regard to such excavations. As soon as all pipe work has been completed by the plumber in the street and prior to any back filling in the ditch he shall call on and get the city inspector appointed by the council, to inspect the work, as to workmanship and material and on his approval proceed immediately to have the street restored to its former condition. If the inspector refuses to approve the work, the plumber must proceed immediately to correct the work so that it will pass the proper inspection required. No connection with the main shall be made during freezing weather.

Report of Water Commissioner; Record.

It shall be the duty of the water commissioner to tap, or cause to be tapped, the city mains when so directed by the recorder and to report the same to him. To keep minute record of all taps, sizes, who for, when done, on what street and accurate location of the same in the street, and as to all cut-offs; also to cut off or turn on water as directed by the recorder and of such other duties in connection with the city water works department as may be hereafter designated by the council.

SECTION 25.

Rates. Such rates shall be charged for the use of city water as may be designated or named by resolution of the council passed by a majority vote of the whole council.

SECTION 26.

Rent and Use of Meters. The city reserves the right to furnish a meter, at the expense of the user, on any private service pipe and to collect such rentals for the use of such meter as the council may designate or adopt. The city reserves the right to require the installation of meters on all service pipes and to refuse the use of city water to any person not so installing such meter.

SECTION 27.

Damage to Meters; Penalty; Estimating Quantity of Water.

Where meters are used, should the glass covering of the dial become broken or the dial broken from any cause, or the meter has been or appear to have been tampered with, the amount of water used paid during the three months immediately preceding the date of such accident or interference with such meters shall be determined by the average of the preceding six months. Should such accident or interference with such meters have been caused by the carelessness or negligence, interference or intentional act of the consumer or his family, or employees, he shall be subject to a fine of ten dollars and costs.

SECTION 28.

Meters Furnished by the City at Cost.

Each meter shall be furnished, tested and placed in position at a cost by the city, the expense of the same to be paid in full by the owner of the pipe or service to which it is attached. Said expense to be paid within ten days from the date of setting the meter, unless otherwise provided by the city council.

SECTION 29.

Placing and Reading of Meters, How Often.

All meters shall be placed so to measure all the water passing through the tap or service pipe furnishing the water and so that the same can be easily and conveniently read. All water meters shall be read on the first of each quarter year, a copy of the reading furnished to the consumer. Should any meter be found stopped or in any manner of repair, the same shall be repaired and started and the expense of same collected from the owner. The quarter in which the meter has been found to be stopped, or out of repair, shall not be considered but amount due for such quarter shall be ascertained and determined as provided for in Section 27. The council shall have the power and authority to order the reading of a meter at any time.

SECTION 30.

Cleaning and Testing of Meters, Defective Meters.

The month of July in each year shall be considered the month of annual cleaning and testing of meters. And during this month meters shall be thoroughly cleaned and tested for accuracy of measurement. Any meter, when thus tested, which shows a variation of five per cent, plus or minus, shall be determined and repaired, or a new meter ordered.

SECTION 31.

Opening or Interfering With Hydrants Without Authority.

No person shall interfere with or open any of the hydrants of the city except the water commissioner, persons especially authorized by him, or the council, and members of the fire department in the execution of their duties.

SECTION 32.

Unpaid Rents and Other Debts, Liability For.

Unpaid rents or other dues of city accruing from the use of water or becoming due under the provisions of the ordinances, rules and regulations governing and controlling the use of water, shall be considered a just and legal debt of the city, and be chargeable to and must be assumed by, and be payable from, the owner or owner of the premises supplied with water, but the same may be paid by the tenant, even though the water has been shut off from said premises.

SECTION 33.

City Recorder, Duties of in Relation to Water System; Interpreter of Ordinances.

The city recorder, or such other official or body as shall have the care of the water system, shall have the duty of water leasing, collection of rates, and the fixing of rates, shall decide all questions as to the interpretation of any of the provisions of this ordinance, and his interpretation of any of the provisions herein contained, or of rates as hereafter established, shall be final and binding on the city and the water works department, however, at any time, on the motion, alter or revoke the recorder's interpretation. Unless some other person to collect water and

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