

AN ORDINANCE relating to the municipal water supply system of the Town of Yacolt, creating a department for the Town of Yacolt to be known and designated as the "Water Department", creating a fund in the treasury of the Town of Yacolt to be known and designated as the "Water Fund", creating the office of Water Superintendent, regulating use of water from the municipal water system of the Town of Yacolt, providing for the sale of same, fixing the price thereof and providing a method of collecting rates therefor, providing penalties for violations of this ordinance, and repealing Ordinance No. 109 and all other ordinances of the Town of Yacolt in conflict with the provisions of this Ordinance.

The Town Council of the Town of Yacolt do ordain as follows:

SECTION 1

That there is hereby created for and as a part of the government of the Town of Yacolt a department to be known and designated as "Water Department".

SECTION 2

That there is hereby created in the treasury of the Town of Yacolt, a fund to be known and designated as "Water Fund". All moneys due the Town of Yacolt for service of any kind or as penalties for violations of the provisions of this ordinance or any other ordinance of the Town of Yacolt relating to the municipally owned water supply system of said Town shall be paid to the town treasurer, who shall receipt therefor, and shall be deposited in said water fund. Said water fund shall not be co-mingled with any other fund or funds of the Town of Yacolt and shall be disbursed only upon warrants drawn by the order of the Town Council against said fund.

SECTION 3

That the mayor of the Town of Yacolt shall appoint, subject to the confirmation of the Town Council, a superintendent of said water department to be known and designated as "Water Superintendent", who, after his qualification as such and until his successor is appointed and qualified, shall be the executive head of said water department and shall have the custody of all property used or to be used in connection with the municipal water supply system of the Town of Yacolt and shall have the detail management and control of said municipal water supply system, subject to the direction and control of the Town Council. The water superintendent shall receive such compensation for his services as the Town Council may fix from time to time, payable monthly by a warrant drawn on the water fund of the Town of Yacolt, on or before the 10th day of the month succeeding the month in which such services were rendered.

SECTION 4

The word "Superintendent", where ever used in this ordinance, shall be held and construed to mean the water superintendent of the Town of Yacolt, and any act in this ordinance required or authorized to be done by the superintendent may be done on behalf of the superintendent by an authorized officer or employee of the water department. The word "person", where ever used in this ordinance shall be held to mean and include natural persons of either sex, associations, co-partnerships and corporations, whether acting by themselves or by a servant, agent or employee; the singular number shall be held and construed to include the plural and the masculine pronoun to include the feminine.

SECTION 5

Any person desiring to have premises connected with the water supply system of the Town of Yacolt shall present at the office of the water superintendent a copy of building, where such is required by ordinance, along with description of lot, block and addition and the official house number of the premises on which water is desired, and shall make application therefor upon a printed form to be furnished for that purpose, which application shall contain the description of the premises where such water is desired, and shall state fully all the purposes for which the water will be used, and the number of families to be supplied and the number of water closets, water power washers, and water ejecting or pumping devices on said premises to be connected to the water supply, the size of the service pipes, and shall be signed by the owner of the premises to be served or his duly authorized agent, and shall be filed in the office of the water superintendent, and at the time of filing such application the applicant shall pay the town treasurer and take the receipt therefor, the fees for installation of water service hereinafter provided.

SECTION 6

The application provided for in the preceding section shall contain a contract on the part of the persons making the same, to pay for the water applied for at the rate and the manner specified in such contract, and shall reserve to the Town of Yacolt the right to charge and collect the rates and enforce the penalties provided for in this ordinance, in the manner herein provided, to change the rates at any time by ordinance, to temporarily discontinue the service at any time without notice to the consumer and to install meter or meters to register the water consumed, and shall specify that said contract is subject to all provisions of this ordinance and or any ordinance of the Town of Yacolt, relating to the subject, hereafter passed, and shall provide that the Town of Yacolt shall not be held responsible for any damage by water or other cause resulting from defective plumbing or appliances on the premises supplied with water, installed by the owner or occupant of said premises, and that the fact that the agents of the Town have inspected the plumbing and appliances shall not be pleaded as basis of recovery in case of damage to premises from defective plumbing or appliances installed by the owner or occupant of such premises, and shall provide that in case the supply of water shall be interrupted or fail by reason of accident or any other cause whatsoever, the Town shall not be liable for damages for such interruption or failure, nor shall such failures or interruption for any reasonable period of time be held to constitute a breach of contract on the part of the Town or in any way relieve the consumer from performing the obligations of his contract.

SECTION 7

All contracts shall take effect from the day they are signed and rates shall be charged from the day the premises are connected with the towns water supply and the water turned on.

SECTION 8

Upon the presentation at the office of the superintendent of the treasurer's receipt for the installation fees and the execution of the contract hereinbefore provided for, the superintendent shall cause the premises described in the application, if the same abut upon a street which there is a town water main, to be connected with the town's water main by a service pipe extending at right angles from the main to the property line and include a stop cock placed $4\frac{1}{2}$ feet from the property line, or about six inches within the outer edge of sidewalk which connection shall thereafter be maintained by, kept within the exclusive control of the town. In case of application for water service on premises not abutting upon a street upon which there is a town water main, the town will lay its connection from the main to the premises for the distance equal to the distance from the main to the curb line, said distance in no case to exceed 50 feet, and permit connection there with by means of a union and pipes laid at the expense and maintained by the owner of the service, or may in the discretion of the superintendent, upon the payment of the actual cost thereof, extend the service to the premises of the applicant along and beneath any public street or avenue of the Town of Yacolt, but not otherwise.

Where there is a water main in front of any premise every house supplied by the town water must install its own separate service connection with the town main, and the premises so supplied will not be allowed to supply water to any other premises except temporarily where there are no mains in the street; provided that such restrictions shall not apply to services already installed unless in the judgement of the superintendent, for the good of the service or to settle disputes, it is found necessary to enforce such provisions as to connections already made. Provided, further, where two or more buildings are supplied each separate building or premises shall be assessed.

SECTION 9

All persons connecting to town services, or laying their own private pipe shall be required to use only standard galvanized iron pipe, or its equivalent, up to and including two inches in size, and all pipe shall be laid not less than 18 inches below the surface of the ground, except that in ungraded streets where the grade is already established, said services and pipes shall be laid at least 18 inches below said established grade. The superintendent will maintain services from town mains in streets which are being graded or regraded or where water mains are being changed, and will have such access on private property as shall be necessary to maintain such pipes during the work, and shall as soon as practicable upon completion of such work, relay said pipes in street. Except for above cause owners shall maintain their private pipes from the end of the town service to and into their property, or in case the superintendent finds it necessary to maintain same the owner shall relinquish all rights to said pipes.

Application providing for extending water mains by any person at their own expense shall be made to the superintendent on proper form and approved by the Town Council. Provided, further, where water mains are laid at private expense, said water mains shall become the property of the town of Yacolt as soon as water is supplied through the water mains.

Amended

SECTION 10

The following are prescribed as the monthly, quarterly, semi-annually and annually water rates of the Town of Yacolt.

Payable in advance within the first ten (10) days of each month a twenty-five cent (.25) discount;

Payable in advance within the first ten (10) days of each quarter, (Jan 1st to March 31st.,--April 1st to June 30th.,--July 1st to Sept 30th.,--Oct.1st to Dec. 31.,) a one dollar (\$1.00) discount.

Payable in advance within the first ten (10) days of each semi-annum. (Jan. 1st to June 30th, and July 1st to Dec. 31st) a two dollar and fifty cent (\$2.50) discount.

Payable in advance within the first ten (10) days of each annum a six dollar (\$6.00) discount will be allowed.

No rate paid shall be allowed to co-mingle with another, each shall be paid within its own time limit.

Remission of any rates or parts of rates shall be paid at the advance yearly rate.

SECTION 10

1" meter \$10.00 per month
1 1/4 " 18.50 per month
1 1/2 " 15.00 per month
2 " 20.00 "

Description & Classification	Rate per month	Advance rate per month	Discount	Rate per month quarterly	Advance rate per quarter	Discount	Rate per month semi-annually	Advance rate per semi-annum	Discount	Rate per month annually	Advance rate annually	Discount
Residents, Buildings & Premises	2.00	1.75	.25	6.00	5.00	1.00	12.00	9.50	2.50	24.00	18.00	6.00
Apartment Houses (over 5 apts)	6.00	5.75	.25	18.00	17.00	1.00	36.00	33.50	2.50	72.00	66.00	6.00
Apartment houses (under 5 apts)	5.00	2.75	.25	9.00	8.00	1.00	18.00	15.50	2.50	36.00	30.00	6.00
Barber Shops	5.00	2.75	.25	9.00	8.00	1.00	18.00	15.50	2.50	36.00	30.00	6.00
Clinics, Nursing homes, Hospitals (large)	7.00	6.75	.25	21.00	20.00	1.00	42.00	39.50	2.50	84.00	78.00	6.00
Clinics, Nursing homes, Hospitals (small)	5.00	4.75	.25	15.00	14.00	1.00	30.00	27.50	2.50	60.00	54.00	6.00
Churches	1.00	0.75	.25	3.00	2.00	1.00	6.00	4.50	1.50	12.00	9.00	3.00
Convelescent & Boarding Homes	3.00	2.75	.25	9.00	8.00	1.00	18.00	15.50	2.50	36.00	30.00	6.00
Corporations & Manufacturers	4.00	3.75	.25	12.00	11.00	1.00	24.00	21.50	2.50	48.00	42.00	6.00
Forestry Dept. State Fire Hall	3.50	3.25	.25	10.50	9.50	1.00	21.00	18.50	2.50	42.00	36.00	6.00
Garage & Filling Stations	2.50	2.25	.25	7.50	6.50	1.00	15.00	12.50	2.50	30.00	24.00	6.00
Hotels	4.00	3.75	.25	12.00	11.00	1.00	24.00	21.50	2.50	48.00	42.00	6.00
Laundry	4.00	3.75	.25	12.00	11.00	1.00	24.00	21.50	2.50	48.00	42.00	6.00
Railroads	9.00	8.00	1.00	27.00	24.00	3.00	54.00	48.00	6.00	108.00	96.00	12.00
Restaurants	3.00	2.75	.25	9.00	8.00	1.00	18.00	15.50	2.50	36.00	30.00	6.00
Schools	2.50	2.25	.25	7.50	6.50	1.00	15.00	12.50	2.50	30.00	24.00	6.00
Taverns & Saloons	3.00	2.75	.25	9.00	8.00	1.00	18.00	15.50	2.50	36.00	30.00	6.00

**3.00 per year*

SECTION 11

Before water will be turned on to any premises connected with the town's mains, the service pipes on such premises must be made to conform to the following regulations: The service pipes be so located that the supply for each separate house or premise shall be controlled by separate stop and waste cocks, of the best standard make, approved by the superintendent, with extension handle, properly protected from the frost, and so placed within the premises that all service pipes and fixtures may be thoroughly drained during the freezing weather. In cases where no fixtures are placed between the property line and the basement, the stop and waste cock may be placed in the basement, provided said basement is not less than six (6) feet in height and is provided with stairways or other means of access thereto. The connection between the towns pipe and the property line and the service pipe on the premises must be made with a union. Every existing service or branch service not already equipped as required in this section must be so equipped at the owner's expense as soon as the defect is noted.

SECTION 12

Whenever the owner or occupant of any premises connected with the town's water supply system shall desire to use the water he shall notify the superintendent and request that the water be turned on to the said premises. He shall leave his portion of the service exposed in the trench until the water is turned on by the superintendent, when he shall immediately properly cover pipe.

SECTION 13

It shall be unlawful for any person whose premises are supplied with water to install additional fixtures on said premises which affect the rate, or furnish water to additional families or premises, or fixtures unless he shall first make application in writing so to do upon a printed form furnished for that purpose, and in the same manner as an original application for the installation of water services.

SECTION 14

When additional fixtures or premises are connected without the application prescribed in the preceding section, such fixtures or premises may be charged at double the rate for the time they are in use, and the service shall be shut off by the superintendent and a charge of two (2) dollars made for turning on such service. In case water shall be turned off as provided in this section, the same shall not be turned on again until all rates and charges against such premises have been paid in full and a deposit of two(2) months rate in advance.

Amended

SECTION 15

When new buildings are to be erected on the site of the old ones and it is desired to increase the size or change the location of the old service connection, or where a service connection to any premises is abandoned or no longer used for a period of five (5) years, the superintendent shall cut out or remove such service connection, after which, should a service connection be required to said premises, a new service shall be placed only upon the owner making an application and paying for a new tap in the regular manner. When service connection of any premises on an unpaved street does not exceed one (1) inch in size and the same does not come from the main in front of said premises, after notifying the owner or tenant thereof transfer the service connection to the new main without charge for such portion as is on public property, and at the same time cut out the old service connection. When a new main is laid on any street, owners of premises on said street, or within one-half block on side streets, who are being supplied with town water from a private main or a connection to private service shall make application for tap and shall connect up with a separate service connection to the main in front of premises.

SECTION 16

It shall be unlawful for any owner of any premises connected with the city's water supply to disconnect the water on said premises unless he shall first file in the office of the superintendent, on a printed form to be furnished for that purpose, a written request that the service of water to said premises be discontinued. When water has been shut off from any premises upon application of the owner thereof, or for nonpayment of water charges, or for any other cause, it shall be unlawful for any person again to connect such premises with water except when authorized so to do by the superintendent.

SECTION 17

When water has been shut off for any cause, and is turned on again or allowed or caused to be turned on by the owner, no remission of rates will be made on account of its having been shut off, and the superintendent may then shut off the water at the main, or remove a portion of the service connection in the street and shall charge the actual cost of cutting out and reinstating the water supply. In case of nonpayment of water rates a deposit of two (2) months water rates in advance will be required in addition to the actual cost.

Cancel SECTION 18

Remission of charges for periods of a duration of one-half month ~~or more~~ may be may be allowed for premises vacant for such period, provided that notice in writing of such vacancy shall have been given to the water department on the day when such premises first became vacant. When ~~service is discontinued on or prior to the 15th day of the month, service will be charged for one-half month. When discontinuance occurs on or later than the 16th day of the month, service will be charged for such entire month. When resumption of such service is desired a charge of two (2) dollars will be made in addition to the regular charge for service.~~

SECTION 19

All water rates will be charged against the premises for which the service was installed. All charges for water, when the same becomes delinquent and unpaid, shall be a lien against the premises to which the same has been furnished. In case any charges for water shall become a lien against any premises the water shall be shut off until such charges are paid. All applications for turning on water shall be made in writing and shall be signed by the owner of the property or his, her, their or its duly authorized agent.

SECTION 20

When several houses, buildings or premises are supplied or to be supplied with water through one service connection with the town main the superintendent may in his discretion either decline to furnish water until separate services are provided, or in case any one of the owners or occupants become delinquent or violates any of the provisions of this ordinance, the superintendent may shut off the original or main service until all delinquent and unpaid charges and other charges are paid and the premises supplied by the main service shall be held responsible for all delinquent and unpaid charges against any one or all of the separate owners or users. No change of ownership or occupation shall effect the application of this section.

SECTION 21

Water for construction purposes shall be secured in the regular manner and may be charged for at the regular fixed rate. All water for building and construction purposes shall be charged against the property and the owner thereof; and all delinquent and unpaid charges therefor shall become a lien upon the premises supplied and to be collected in the same manner as other delinquent and unpaid charges for water.

SECTION 22

If any person than an authorized plumber or an employee of the water department shall turn the water on or off at the town's stop cock for any reason whatever, the superintendent shall cause the water to be shut off, and the water will not be turned on again until all delinquent charges against the property have been paid and until there has been paid an additional charge of two (2) dollars for turning on of such water service.

SECTION 23

It shall be unlawful for any person to carry on the business of plumbing; make any connections with any service or branch pipe thereof, or make repairs, additions or alterations of any pipe, stop and waste, water closet, or any other fixture connected with or designated to be connected with the town water system, except in compliance with this ordinance. He shall first deposit ten dollars (\$10.00) with the town treasurer as a guarantee of the proper performance of his work and to indemnify the town for any charges or penalties that may be imposed for work done on his account.

The superintendent may then furnish said person with a service key, which he shall keep in his possession and with which he may shut off the curb cock for the purpose of making repairs within the premises. No person other than plumbers who have complied with the above requirements shall use this key, and the plumbers shall leave curb cock shut off on all premises which are newly connected, and all other premises the curb cock shall be left in the condition in which it was found, and on the completion of any work which would effect the water rate they shall notify the superintendent. This shall not be construed as in any way relieving any plumber from making applications and complying with all the requirements of this ordinance. On failure to perform work in a proper manner, or in accordance with the requirements of this ordinance, the superintendent may remedy or cause to be remedied and charge the cost, together with any penalties which may attach, to the plumber, or deduct from his deposit; and in this latter event said plumber shall make whole his deposit before he will be allowed to do any of the work above specified. No private person will be allowed to do any of the above work unless by special permission of the superintendent and the deposit of such sum as he may designate.

SECTION 24

Any plumber or other person who shall violate any of the provisions of the preceeding section shall forfeit his deposit to the water department, and may be prohibited from performing any of the work prescribed in the preceding section for a period of one (1) year from the date thereof.

SECTION 25

The Town Council may at any time and as often as it shall deem necessary divide the town into irrigation districts, within which districts water may be used at the times in this ordinance authorized for sprinkling or irrigating lawns, gardens, flower beds, plants, trees, shrubs or parking strips in each of such districts respectively, and shall cause notice thereof to be published for one week, and from and after the official publication of such notice it shall be unlawful for any person to violate any of the provisions thereof by using water for the purposes specified at any other time or in any other manner than is prescribed in such notice.

SECTION 26

It shall be unlawful for any person to wilfully place any automatic sprinkling device or wilfully to place or hold any hose in such position or manner that water therefrom falls on any person or vehicle while on any public street or sidewalk.

SECTION 27

It shall be unlawful for any person to use any water for irrigation or sprinkling during the progress of any fire in the town, unless for the protection of property, and all irrigation and sprinkling shall be immediately stopped when an alarm of fire is sounded in any part of the town, and shall not be begun again until the fire is extinguished.

SECTION 28

The town reserves the right at any time, without notice, to shut off water supply for repairs, extensions, non-payment of rates, or any other reason, and the town shall not be responsible for any damage, such as bursting of boilers, supplied direct pressure, the breaking of any pipes or fixtures, stoppages or interruption of water supply or any other damage resulting from the shutting off of water.

SECTION 29

Employees of the water department shall have free access at all proper hours of the day to all parts of buildings in which water may be delivered from the town mains, for the purpose of ascertaining the number of rooms and families in the building, or inspection of the condition of the pipes and fixtures and the manner in which the water is used. It shall be the duty of the water department to inspect all buildings or premises in or on which water may be delivered from the town mains for the purpose of discovering leaky pipes or fixtures or other conditions causing waste of town water, and to serve, or cause to be served, upon the occupants or owner of any buildings or premises in or on which leaky pipes or fixtures or other conditions causing or permitting the waste of town water are found to exist, a written or printed notice, specifying the faulty pipes, fixtures or other conditions, and requiring that such faulty pipes, fixtures or other conditions be properly repaired or corrected within the period of seven (7) days from and after the service of such notice.

No owner or person having charge of any building or premises shall refuse or prevent the free access and inspection to and of such buildings or premises as in this section provided, and for any violation of this rule a penalty of five dollars (\$5.00) shall be imposed and taxed against the person and premises supplied, and the water shall be shut off and so remain until said penalty and all other charges due are paid.

If the leaky or faulty pipes or fixtures or other conditions, to be mentioned in the written or printed notice to be served as hereinbefore specified, shall not be repaired or corrected within the period of seven (7) days from and after the date of service of such written or printed notice, then and in that case the water shall be turned off and so remain until such repairs shall be made or conditions corrected, and a charge of two dollars (\$2.00) for turning on water shall be paid.

SECTION 30

Services for fire protection must be fitted with such fixtures only as needed for fire protection and entirely disconnected from those used for other purposes. In no case shall any tap be made upon any used for fire service purposes, or any tank connected therewith, nor shall the use of any water be permitted through any fire service, nor through any pipes, tank or other fixtures therewith connected for any purpose except the extinguishing of fires on the premises, or for fire drill, or testing the hose or service.

SECTION 31

Where water is due and payable and delinquent for a period of twenty (20) days, water services shall be discontinued.

It shall be the duty of the town treasurer, or such other official of the Town of Yacolt, whose duty it shall be to collect for town water services, to notify owner, or owner and tenant of buildings or premises of delinquency on written or printed form within five (5) days from and after such delinquency.

Failure to receive mail will not be recognized as a valid excuse for failure to pay rates when due. Change in ownership of property and changes in mailing addresses must be filed in writing at the office of the superintendent on forms provided for that purpose. The superintendent may require payment in advance or satisfactory security for all water to be furnished, and if such payment be not made or security furnished within the time fixed by the superintendent water shall be shut off from the premises.

SECTION 32

It shall be the duty of the employees of the town to give vigilant aid to the superintendent in the enforcement of the provisions of this ordinance, and to this they shall report all violations thereof which may come to their knowledge to the superintendent.

SECTION 33

A copy of this ordinance may be obtained by all owners of property and consumers of water, and shall be considered a part of the contract made between the town and every such owner and consumer.

SECTION 34

It shall be unlawful for any person except when duly authorized by the superintendent, to open, operate, close, turn on, turn off, interfere with, attach any pipe or hose to or connect anything with any fire hydrant, stop valve or stop cock belonging to the town.

SECTION 35

It shall be unlawful for any person, unless duly authorized by the superintendent, to disturb, interfere with or damage any water main, water pipe, machinery, tools, or any other appliances, buildings, improvements, lawns, grass plots, flowers, vines, bushes or trees belonging to, connected with or under the control of the municipal water supply system of the Town of Yacolt.

SECTION 36

It shall be unlawful for any person to bathe in, fish in or throw any substance into any reservoir, or place any foreign substance upon any grounds belonging to, connected with or under the control of the municipal water supply system of the Town of Yacolt.

SECTION 37

It shall be unlawful for any person to obstruct the access to any fire hydrant by placing around or thereon, any stone, brick, lumber, dirt or other material, or to open or operate any fire hydrant or draw or attempt to draw water therefrom, or to wilfully or carelessly injure the same.

SECTION 38

It shall be unlawful for any person to make connections with any fixtures or connect any pipe with any water main or water pipe belonging to the municipal water supply system, without first obtaining permission so to do from the superintendent.