



ORDINANCE NO. 110

AN ORDINANCE REGULATING THE SALE AND USE OF THE WATER OF THE CITY OF REXBURG, IDAHO. SCHEDULE OF PRICES TO CONSUMERS AND PENALTIES FOR VIOLATING SAME.

BE IT ORDAINED BY THE CITY OF REXBURG:

SECTION I: The water system for the supply of the City of Rexburg shall be under the sole and exclusive control of the Mayor and City Council, who may from time to time direct the construction of such works, placing of mains, service pipes and fire hydrants, as the necessities of the City may require.

SECTION II: The superintendent of the City Water Works, shall, under the directions of the Mayor and City Council, have charge of such works, mains, pipes, and hydrants and of the putting in of all service pipes, regulation of the water supply to fire hydrants and all water consumed and shall report to the Mayor and City Council quarterly, or as often as required, the condition of the water works and make such suggestions as the nature of the service may require.

SECTION III: All public fire hydrants shall be kept in repair by the superintendent of water works, and in case of fire the members of the fire department, and such other persons as the said superintendent shall authorize, shall have free access to said hydrants. No other person shall open or operate any fire hydrant, or attempt to draw water therefrom.

SECTION IV: Any person who shall willfully or carelessly run any vehicle against a fire hydrant or hitch any animal to same, or draw or attempt to draw water therefrom, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by fine in any sum not to exceed one hundred dollars and costs and be liable for all damages done to said hydrant.

SECTION V: Wrenches for fire hydrants shall be furnished by the fire chief, for the use of the members of the fire department and to such other persons as he may deem proper, and any officer or member of the fire department, or other person having charge of one or more of said wrenches who shall permit the same to be taken from their place of deposit, or to be used for any other purpose than that authorized by the fire chief shall be liable to a fine of not exceeding fifty dollars for each offense besides costs.

SECTION VI: Whenever any person desires to obtain a supply of water from the City Water Works, he shall make application wherefore in writing to the City Clerk, and sign an agreement that he will be governed by such rules and regulations not inconsistent with this ordinance, as may be prescribed by the Mayor and Council for the control of water supply. He shall state the location, kind of building, [unreadable] and the entire area of ground to be supplied, [unreadable] and truly state the purposes for which the water is to be used. Whereupon if application is granted the superintendent of the water works shall be authorized to extend at the expense of the City, the service pipe to the [unreadable] line of the curb, as a point most convenient for supplying the applicant in cases where street paving is contemplated, the abutting property owners must either connect their premises with the water mains before the pavement is laid, or pay the cost of service from main to curb if made thereafter.

SECTION VII: To each service pipe there shall be attached at the inside line of curb, a stop cork and key for which shall be paid for by the water consumer and be under the exclusive control of superintendent.

SECTION VIII: All service and other pipes used underground shall be of cast iron, galvanized iron, extra strong, lead or tin lined lead, (except private pipes where the City Council authorizes the use of special material) laid not less than four feet below the surface of the ground, and of sufficient strength to stand the water pressure. All work upon and alterations or extension of water pipes, and size of pipes shall be to the acceptance of the superintendent. No extension of service pipes shall be made without first obtaining a permit from the superintendent, for which permit there shall be paid the sum of one dollar; and no extension shall be made to another water

taken from the same service pipe without a stop-cork and key box being attached at the junction of such service pipe.

SECTION IX: If any water consumer shall permit any person from other premises, or any unauthorized person, to use or maintain water from his premises or water fixtures, whether inside or outside of his building, the supply of water of such person may be cut off, and the amount paid therefore, forfeited, and such unauthorized person for taking said water shall be liable to a fine of not to exceed ten dollars, for each offense, besides costs. Where two or more parties or premises are supplied by the same service pipe the failure [unreadable] on the part of either party to comply with this ordinance [unreadable] the superintendent in withholding a supply of water through said service pipe, until a separate water pipe with stop cock, and key box, is put in for each of said consumers.

SECTION X: All water users shall keep their service pipes, connections and other apparatuses in good repair and protected from frost at their own expense; but no person except under the direction of the superintendent shall be allowed to dig into the street or sidewalks for the purpose of laying, removing or repairing any service pipe.

SECTION XI: If any water user shall waste water, or allow it to be wasted by imperfect water stops, valves, leaky joints or pipes or shall run it through basins, or other apparatuses, or use the water for any other purposes than those for which they have paid or use it in violation of the rules and regulations controlling the water supply and the provision of this ordinance, for each offense; and the water may be cut off from such water users and payment forfeited, unless such persons shall promptly pay such reasonable charges as may be charged therefore by the superintendent.

SECTION XII: Any person who by himself, family, servants, or agents, shall use of the water running through the water mains without paying first therefore, as hereinafter provided, or shall, without authority open any stop-cocks, valves or other fixtures attached to the system of water supply or shall in any way, injure, deface or impair any part or apparatus of the water works or shall cast anything into any tank or reservoir belonging to said works or in any manner obstruct the same, shall be punished by a fine not exceeding one hundred dollars for each offense or by imprisonment in the City Jail not exceeding sixty days or by both said fine and imprisonment.

SECTION XIII: If any person after the water has been turned off from his premises on account of non-payment or rates, or other violations of the rules and regulations pertaining to the water supply, shall turn on or permit the water to be turned on or use or permit the water to be used without authority, he shall on conviction thereof be fined not exceeding fifty dollars for each offense.

SECTION XIV: Fountains and sprinklings for lawns, yards, or sidewalks or gardens, shall not be operated during or after any alarm of fire until the signal is given that the fire is out. No fountain attachment shall be greater than three-sixteenths of an inch in diameter and there shall be a stop-cock to each fountain attachment, and the same shall be under the control of the superintendent. Any person violating any of the provisions of this section shall, upon conviction thereof, be fined in any sum not to exceed fifty dollars, and in default of payment thereof shall be imprisoned in the City Jail for not to exceed thirty days.

SECTION XV: Sprinklers for lawns, garden and yards must only be used for the purpose paid for. No nozzle for sprinkling shall be larger than three-sixteenths of an inch, in diameter, and in time of scarcity of water, whenever it shall be in the judgment of the City Council be necessary, and they shall so direct, the Mayor shall be proclamation still further limit the use of water, for other than domestic purposes, and in his discretion provided that lawn sprinklers and hydrants shall be used only on alternate days in certain designated localities. Any person violating any provisions of this section or of any proclamation made by the Mayor in pursuance thereof, shall on conviction be fined in any sum not exceeding ten dollars for the first offense and not exceeding fifty dollars for each subsequent offence.

SECTION XVI: Watering troughs for animals shall not be allowed a constant flow of water but shall only be allowed to use such quantity as shall supply the actual wants of the stock having access thereto. Nor shall continuous streams of water be permitted to flow from hydrants, faucets or stops over wash basins, water closets, or urinals, or from any other apparatus drawing water.

SECTION XVII: Free access at all reasonable hours shall be allowed the superintendent of water works or Mayor, City Clerk or committee from the City Council to all places supplied with water, to examine the apparatus, the amount used and the manner of using same and any water user

violating any of the rules and regulations controlling the water supply, shall forfeit shall payments made and the right to use the water.

SECTION XVIII: The City Corporation shall not be held liable for damages to any water user by reason of a stoppage or other interruption of his water supply, caused by a scarcity of water, accident to works or mains, alterations, additions, repairs or from other unavoidable causes.

SECTION XIX: Wherever the water mains are laid no person shall be allowed to convey the water of the city from any ditch or place by private pipes for fountains, mechanical or other purposes, except the ordinary irrigation of lots, under the direction of the superintendent, nor shall said water be diverted from the ordinary irrigation ditches for the supply of steam boilers or other purposes.

SECTION XX: No hydrant or hose shall be allowed to run for the purpose of sprinkling any lawn, garden or yard after the hour of 9 o'clock p.m.

SECTION XXI: The city clerk shall furnish to each property owner, landlord or his agent, on the first of every month, a statement of the amount due for water for that month and if any person neglects to pay his water rent by the tenth of the month, or shall fail or refuse to pay the water rates charged against him at the office of the City Clerk, the said clerk shall notify the superintendent who shall cause the water to be turned off from the premises of such delinquent, and before the water shall be again turned on all delinquent water rates must be paid in full, to the end of the term, and fifty cents additional for expenses. Any water user not using water after the first of any month must report the same to the city clerk and have the water shut off, and if he fails to do so, the full amount for said month must be paid. No allowances will be made for nonuse for less than one month. All corrections as to charges, and all allotments shall be made under the direction of the City Council, and shall be certified by the City Clerk, and water rents must be paid by the owner of the property upon which the same is used, or by the tenants thereof.

SECTION XXII: The minimum charge for water used through a meter shall be one dollar per month. Water meters may be put in at the consumer's expense, whenever it is considered necessary by the superintendent and the same shall also be put in upon the written request of any water user at any time, at such user's expense. Consumers shall keep all meters upon their premises from grazing and the surrounding clear and clean.

SECTION XXIII: The rates for the supply of water from the city waterworks system, to be paid monthly in advance, are hereby fixed and established as follows, to-wit:

Bakery, per month, \$1.00
Bank, including one basin, per month, \$1.00
Barber Shop, having only one chair, per month, \$1.00
Barber Shop, for each extra chair, per month, .25 cents
Bath, Public for first tub, per month, .15 cents
Bath Public, for each extra tub, .50 cents
Beer Pump, per month, \$1.25
Blacksmith Shop, each forge, per month, .40 cents
Bookbindery and Printing Office, per month, \$1.00
Brewery, rate to be made on application to City Council
Butcher Shop and Meat Market, per month, .15 cents to \$1.30
Candy Factory, per month, \$1.00
Buildings in course of construction, brick and stone, 1-4 cents per cubic yard
Buildings in course of construction, plastering per sq yard 1-2 cents square yard
Club Room, per month, \$1.25 to \$2.00
Churches, free
Confectionary and Dee Cream business, per month, \$1.00 to \$2.00
Dancing Hall, per month, .15 cents
Drug Store, per month, \$1.25 to \$2.00
Dyeing, cleaning and scouring shop, per month, \$1.50 to \$2.00
Dental Office, with constant flow, per month, \$1.50 to \$2.00
Fish Market, per month, \$1.00 to \$2.50
Fountain with jet not exceeding 3/16 inches, in yard, per month \$3.00
Fountain or jet in store, per month, .75 cents to \$1.25
Feed Stables, per month, \$4.00 to \$5.00
Foundry and Machine Shop, per month, \$1.00 to \$2.50

Gasoline Engine, per horse power .5 cents per month.
 Hotel minimum rate, per month \$1.50
 Hotel, for more than 10 rooms, each extra room, per moth .15 cents
 Hotel, water closet, per month, .25 cents
 Lodging House, minimum, per month, \$1.50
 Lodging House, using more than 10 rooms, each room .10 cents
 Landry, steam, per months, \$2.50 to \$5.00
 Laundry, hand, per month, \$1.75 to \$2.00
 Livery, feed and sale stables, 16 stalls or less, per month \$3.25 to \$4.00
 Livery feed and sale stables, each additional stall, per month, .10 cents
 Lunch stand, per month \$1.50 to \$2.00
 Lawns, per square yard, .1 cent per month
 Offices, except dental, per month, .25 cents
 Public Schools, free
 Photograph Gallery, per month, \$1.00
 Private dwelling, each family, per month, \$1.00
 Private dwelling, bath tub, per month, .20 cents
 Private dwelling water closet, per month, .15 cents
 Restaurant, per month, \$2.50 to \$3.00
 Soda Fountain for season only \$1.50 to \$3.00
 Steam Boilers, per horse power, per month, .10 cents
 Store, one tap, per month, .75 cents to \$5.00
 Saloon or liquor store, per month, \$2.00 to \$2.50
 Saloon, water closet, per month, .25 cents
 Soda water factory, per month, \$1.00 to \$4.00
 Stock yards and corrals, per month, \$5.00 to \$25.00
 Theater or public hall, per month, \$1.00 to \$3.00
 Watering of animals, such as horsed, mules, cows, etc. each .10 cents

SECTION XXIV: The City Clerk may demand of any person, persons, or corporations a sworn statement showing for what purpose water is required, together with the number of rooms, hose connections, bath houses, urinals, water closets, engines, boilers, stock-yards, corrals, livery, stables, liquor stores, and other purpose, for which water is required, whenever deemed necessary and any person refusing to make such sworn where required, shall be refused a supply of water until making the same.

SECTION XXV: Nothing herein contained shall prohibit the City Council from amending, altering or adding to the provisions of this ordinance in relation to the water supply, or the rules of same which may be adopt in conforming therewith. Provided that no alteration in water rates shall apply to any charge upon, or contract made with a water user under this ordinance, until after the expiration of the time for which such charge was made, or contract entered into.

SECTION XXVI: This ordinance shall take effect from and after its passage.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 19th day of February, 1907

AMENDED BY ORD. 216, 237, 317

 Ezra Christiansen, Mayor Pro Tem

(SEAL)

ATTEST:

 A.L. Blackburn, City Clerk

STATE OF IDAHO)
)ss.
 County of Madison)

I, A.L. BLACKBURN, City Clerk of the city of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance Entitled:

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A.L. Blackburn, City Clerk

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