



CITY OF  
**REXBURG**  
*America's Family Community*

## **ORDINANCE NO. 99**

### **AN ORDINANCE PROVIDING FOR THE MAKING AND CLEANING OF WATER DITCHES AND REQUIRING USERS OF WATER TO MAKE HEADGATES.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF REXBURG;

**SECTION I** – All ditches or water courses fronting any of the blocks in the City of Rexburg or blank places along the lots or blocks of said city that may require building shall be made repaired and be cleared out by the person or persons whose land or lot they front or run by, provided that where ditches are run through another's land for the exclusive benefit of other person or persons that the owner of said land, the expense and labor thereof shall be paid for or performed by the person or persons benefited, provided further, that nothing in this ordinance shall be construed to include laterals Nos. 1, 2, and 3, which are distributing ditches and shall be cleaned out and kept in repair by said city of Rexburg. Said Laterals are herewith described by metes and bounds upon the maps and plats of said city, and are as follows:

Lateral No. 1 begins where the city canal crosses 4<sup>th</sup> East and running thence north on said street to the center of block 19, thence diagonally in a N.W. direction to the N.W. corner of block 19, thence west on 2<sup>nd</sup> North Street to the N.W. corner of block 21; thence south on 1<sup>st</sup> East Street to a point opposite Center of block 22; thence 2<sup>nd</sup> West Street, thence west to the N. E. corner of block 24, the south fork of Lateral No. 1 begins in the center of block 22 and runs thence south to 1<sup>st</sup> North Street, thence west to the N.W. corner of block 32 end of Lateral No. 1.

Lateral No. 2 begins in the center of block 36 and runs thence west to the center of block 35 thence south about five rods, thence west to center of block 34 thence north about five rods thence west through the center of block 33, 32 and 31 end of Lateral No. 2.

Lateral No. 3 begins where the city canal intersects lot 4 in block 37, and runs thence north five rods thence west through the center of blocks 37, 38, 39, 40, 41 and 42 end of Lateral No. 3.

**SECTION II** – It is hereby made the duty of all users of water to first construct a suitable head gate or gates before he shall be permitted to use any water from any canal or lateral and keep the same in repair.

**SECTION III** – Any person failing to perform the duties required under this ordinance shall be deemed guilty of an offense and upon conviction thereof shall be fined in any sum not to exceed \$100.00.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION IV** – An emergency existing this ordinance shall take effect and be in force from an after its passage.

PASSED AND APPROVED THIS DAY OF APRIL 23, 1906.

(SEAL)

JOHN L. JACOBS

Mayor

ATTEST: A. L. BLACKBURN  
City Clerk